

STAND. COM. REP. NO.

2654

Honolulu, Hawaii

FEB 13 2020

RE: S.B. No. 2582

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 2582 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize advanced practice registered nurses, in addition to physicians, to practice medical aid in dying in accordance with their scope of practice and prescribing authority;
- (2) Reduce the mandatory waiting period between oral requests from twenty days to fifteen days; and
- (3) Provide an expedited pathway for those terminally ill individuals not expected to survive the mandatory waiting period.

Your Committee received testimony in support of this measure from the Department of Health, University of Hawai'i System, Hawai'i Association of Professional Nurses, Filipina Advocacy Network, Compassion & Choices, LGBT Caucus of the Democratic Party of Hawaii, and forty-two individuals. Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party, Hawaii Family Forum, and nine individuals. Your



Committee received comments on this measure from the Board of Nursing and Hawai'i State Center for Nursing.

Your Committee finds that Act 2, Session Laws of Hawaii 2018, established the Our Care, Our Choice Act to allow qualified patients in the State with a medically confirmed terminal illness with less than six months to live and possessing decisional capacity to determine their own medical care at the end of their lives. Safeguards were put in place to ensure that patients and their loved ones will be protected from any potential abuse. However, these safeguards are time-based and delay the end of life process. As a result, many patients have died during the delay from the safeguards.

Your Committee further finds that the process for the aid-in-dying program should be further streamlined to provide options for terminally ill and mentally capable patients. Allowing advanced practice registered nurses to practice medical aid in dying in accordance with their scope of practice and prescribing authority will provide further access for qualified terminally ill individuals, especially for individuals on the neighbor islands.

Your Committee has amended this measure by:

- (1) Inserting language to allow psychiatric mental health nurse practitioners, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2582, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2582, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,


Rosalyn H. Baker

ROSALYN H. BAKER, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB2582	CPH, JDC	2/7/20		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
NISHIHARA, Clarence K.	✓			
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
WAKAI, Glenn	✓			
FEVELLA, Kurt			✓	
TOTAL	6		1	
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes