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March 16, 2021

To: The Honorable Richard H.K. Onishi, Chair,  
The Honorable Jackson D. Sayama, Vice Chair, and  
Members of the House Committee on Labor & Tourism

Date: Tuesday, March 16, 2021  
Time: 9:00 a.m.  
Place: Via Videoconference

From: Anne Perreira-Eustaquio, Director  
Department of Labor and Industrial Relations (DLIR)

**Re: S.B. No. 936 SD2 RELATING TO PUBLIC HEALTH**

Chair Onishi, Vice Chair Sayama, and Members of the Committee,

This measure proposes to require employers to provide employees access to seizure first aid information specified by the department. The DLIR strongly opposes this measure and requests that it be deferred indefinitely.

§26-20 Department of labor and industrial relations makes clear the mission of the department does not relate to mandates in public health, which has been defined as "The science and art" of preventing disease. Critical seizure safety information is downloadable for free through the Epilepsy Foundation's national resource repository and available to employers, workers, and everyone else in our community.

The DLIR reiterates that medical conditions such as seizures, heart attacks or strokes are not recognized workplace hazards. Moreover, there is very little employers can do, in general, to prevent such medical conditions from occurring in their workplace. In addition, OSHA/HIOSH jurisdiction does not cover any safety or health matters for the general public.

The DLIR is ill-suited to perform this statutory requirement, especially as the disruptions resulting from the COVID-19 Pandemic continue. For these reasons, the department respectfully requests the Committee to hold the measure.

**SB-936-SD-2**

Submitted on: 3/12/2021 11:58:47 AM

Testimony for LAT on 3/16/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jennifer Suzuki	Individual	Support	No

Comments:

I highly encourage those in leadership positions in our state to support Bill SB936 and allow our community to be stronger and safer for those with Epilepsy/seizures and to support their family and friends as well. Knowledge is always the most powerful thing you can share.

From 2011 – 2013, I worked as a CPR Instructor for AED Institute and Hawaii Heart Foundation (HHF). HHF was founded after a local teacher collapsed during a school meeting and passed away from cardiac arrest. HHF provided free hands only CPR/AED training at local schools, teaching students and anyone willing to learn, what to do if someone has a cardiac arrest. Community education & awareness is the key when it comes to saving a life during a medical emergency. The same applies to Epilepsy and seizure first aid and awareness.

Becoming familiar with Epilepsy and seizures also removes the stigma and fear that may come with dealing with an episode. I strongly believe that teaching seizure first aid at any level not only puts a safety net in place for those who may have this medical condition, but empowers our community and our keiki.

**SB-936-SD-2**

Submitted on: 3/13/2021 12:27:44 AM

Testimony for LAT on 3/16/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Colby Takeda	Individual	Support	No

Comments:

Please support this important bill; It can save lives.

I've worked as a registered nurse in California for the past 5 years. A few months after I gained my license and was waiting to hear back from job postings, I was sitting in a bar in Berkeley watching a prime time NFL game. About 20 minutes into the game, I saw a commotion happening near some of the dining tables. I got up to see what was going on and saw a customer give the Heimlich to another customer. I went over to see if I could help in any way and noticed that the customer was not choking, but was having a seizure. I immediately told the other customer to stop what he was doing and get the man on the ground onto his side. The customer neglected to listen to my advice so I took matters into my own hands and grabbed the man from the front and laid him on his side. His seizure subsided shortly after and it took him a few minutes to come to. It is examples like this one that I feel that if there were more proper education on recognizing the signs and steps to take involving a seizure, that we can help those who suffer from them.

**SB-936-SD-2**

Submitted on: 3/13/2021 1:16:30 PM

Testimony for LAT on 3/16/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Karen DeMay	Individual	Support	No

Comments:

In the early 2000's my children attended Pearl Harbor Elementary. My daughter had an IEP and was in a special needs class with an autism diagnosis. She also lives with a grapefruit sized arachnid cyst, enlarged pituitary gland, and has a history of seizures. Resources at PHES were low for special needs keiki and I was self-required to educate/aid/inform her multiple teachers during her years there regarding medical emergencies. "I need you to do x, y, and z should you suspect or see a seizure," I gently reminded her teachers and school staff every month or so. There were no resources in place giving teachers, aides, faculty, and staff any idea how to properly assist a student suffering from a seizure during school hours; all they had was a worried mother's verbal account. Implementing Brennan's bill - making it part of HRS - will provide 1 ) peace of mind for parents who release their keiki to the care of faculty and staff during the school day as well as 2 ) give confidence to faculty and staff who are charged with providing a safe space at school for students in their care, control, and custody. Passing this bill is the right thing to do and I'm confident people like my daughter and her educators would applaud its passage.

Schools wouldn't be the only beneficiary; workplaces would benefit, as well. I remember like yesterday being at work when a co-worker suddenly went down; he slid out of his chair and his immediate peers began shrieking in horror at his convulsions on the floor. I was across the room and I did two things; I called 911, and I calmly directed his peers to roll him to his side and put anything that could be made into a pillow under his head - direction I'd been giving my daughter's teachers for years. EMT's arrived shortly thereafter. It's unfortunate that I seemed to be the only one who could offer assistance in the office. If the workplace had had some kind of one pager giving succinct instructions on how to respond and treat someone in the midst of a seizure, imagine how many others could have come to his rescue. Again, I plead to you to pass this bill because it's the right thing to do.

Aloha,

K.DeMay

**SB-936-SD-2**

Submitted on: 3/14/2021 10:32:38 AM

Testimony for LAT on 3/16/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andee Lau	Individual	Support	No

Comments:

Dear House of Representatives,

I write to you in support of SB936 and all of the children and adults affected by this disease. One of my three children came very close to being diagnosed with epilepsy, but thankfully, by the grace of God, he grew out of his seizures. Some children and families, are not so lucky.

I will never forget the first time I saw his eyes roll back and start to shake and drool - he was 3 yrs old. I will never forget the second time I got a call from his preschool telling me, "I think your son is having a seizure." I will never forget the third time he was sitting on the couch and I was trying to get his attention (he was five) but couldn't. I went over to talk to him and he had a blank stare and started to shake. I remember feeling helpless as I drove him to the hospital and he was shaking in his car seat and in the ER as he was shaking in the bed and all I could do was try to comfort him and tell him he was going to be okay. Today, he is a thriving 11 yr old who loves basketball (sorry Yamaguchi's), video games, and spending time with his friends and family.

As I'm sure you all know, seizures can happen anywhere and anytime. Knowing what to do in the event someone around you is having one can save their life. Besides calling 911, there are things you can do to help the person and also be able to help the paramedics when they get there.

Many children and adults with epilepsy and seizures seem to lead normal lives and maybe that's why it gets overlooked. By making more and more people aware of the disease and what they can do to help, many lives could be saved.

I understand there is cost involved in printing and distributing flyers. But it's the same thing as when new businesses are registered or if there is a change in employee law - flyers, posters, notices - get distributed to businesses to be posted. I'm also sure that there are many people in this great Aloha state willing to donate their time and resources to save a life.

Thank you for your consideration of this bill. Please vote yes and be a part of saving lives.

**SB-936-SD-2**

Submitted on: 3/14/2021 4:37:12 PM

Testimony for LAT on 3/16/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jared Sham	Individual	Support	No

Comments:

Aloha,

My name is Jared Sham and my ohana and I fully support this bill. This bill will help make the public more aware of epileptic seizures and how to handle them. We look forward to seeing a positive outcome from this bill. Mahalo for your time.

Aloha,

Jared Sham

**SB-936-SD-2**

Submitted on: 3/14/2021 5:17:33 PM

Testimony for LAT on 3/16/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Tiffany Mina	Individual	Support	No

Comments:

As a special education teacher who has worked with students who have seizures, it was a steep learning curve to learn and understand seizure protocol and action plans. As a school we were fortunate to receive video training on how to identify the different ways that seizures may present themselves as well as when to call for emergency help, etc. Even with training and action plans, in the moment a child is having a seizure you still are wondering if you missed a step, are following procedure, are doing the right thing, etc. I can't imagine what an untrained person would go through if they were to witness a seizure. Far to many times I have heard "put a spoon in their mouth" which is one of the worst things that you should do. Therefore, I support SB 936 and believe it would truly help to make our State a safer place. Signage exists for CPR, hand washing, vaping, etc. shouldn't there be signage for seizures as well?



Representative Richard H.K. Onishi, Chair  
Representative Jackson D. Sayama, Vice Chair  
House Committee on Labor & Tourism

March 14, 2021

### **Support for Senate Bill No. 936 – Seizure First Aid**

My name is Julie Matsumoto, was born and raised in Waianae and Aiea, and currently live in Seattle, WA with my husband and nine-year-old daughter. **I am submitting written testimony in favor of passing Senate Bill No. 936 – Seizure First Aid.**

A seizure can happen to anyone, at any time, and anywhere. My previously healthy daughter, Nora, began having seizures out-of-the-blue back in May of 2018. No one in our family had seizures, and it never even crossed our minds that it could happen to us, let alone how to recognize, and administer first aid. My husband and I are both professionals holding multiple college degrees between us, yet we were ignorant.

My husband was home alone with Nora when she had her first generalized tonic-clonic seizure. She stopped breathing and he initially thought she was choking. He picked up her small body up and started trying to clear her airway while calling 9-1-1. His words to the 9-1-1 operator went something like “my daughter is not breathing and is dead in my arms. Please send help.” Eventually she started breathing and regained consciousness, but my husband could have caused Nora even more harm because of his lack of knowledge around seizure first aid. Since then, we had to quickly educate ourselves to keep Nora safe.

As an adult (prior to the pandemic, and hopefully once again soon), we spend a good amount of our lives at the workplace. Would you know what to do if your boss, cubicle mate – or anyone, for that matter – started having a seizure in front of you? Would you be able to recognize the signs and then take the right steps to keep them safe? Would you know when to call 9-1-1?

I had never planned to be the mom of an epileptic child. But now that I am, it would give me great comfort to know that the greater ‘ohana of the Hawaii community is also armed with accurate information to keep Nora safe in the event of a seizure. It does not take long, nor does it take many resources to educate the Hawaii workforce on seizure first aid; a small investment like this is the right thing to do. I would be proud to know that my home state is leading by example to support the thousands of people affected by seizures and epilepsy – both kama’aina and visitors.

I have nothing but gratitude for the young activist whose reach has extended all the way to help a little girl in Seattle, and I wholeheartedly support the passing of Senate Bill No. 936.

Thank you for this opportunity to submit this written testimony.

Julie Matsumoto  
Seattle, WA  
julie.matsumoto@gmail.com

Brennan Yamaguchi

State of Hawaii Student (Age 12)

Date: March 16, 2021

Support for SB 936 SD 1

Regarding Public Health

TO: LABOR & TOURISM COMMITTEE

Rep. Richard H.K. Onishi, Chair

Rep. Jackson D. Sayama, Vice Chair

As a student and citizen in the State of Hawaii, I want to make sure members of the community, especially my friends who work in or visit state offices and buildings have access to first aid posters. This bill passed the Judiciary in 2020 but was halted due to the pandemic. I strongly support SB 936 (SD 1) which would put a first aid seizure poster in Hawaii workplaces, hopefully starting with State of Hawaii buildings.

There has been discussion on how this can be implanted and that a cost and fee would be too great for departments to bear. It doesn't need to be at all. OSHA is a good example as it provides and actually encourages workplaces to utilize its **\*FREE\*** downloads to display and implement. One simple free seizure care posters can be easily added to, or credited within existing training or posters that the state or OSHA already requires. Downloads are at no cost and perhaps workplaces can confirm with an electronic signature or reply with a photo of the simple poster displayed.

This is OSHA's site: <https://www.osha.gov/publications/poster> however similar posters are also available at: <https://www.cdc.gov/epilepsy/index.html> or <https://www.epilepsy.com/living-epilepsy/seizure-first-aid-and-safety/first-aid-seizures-stay-safe-side>

Many citizens in the State of Hawaii may not think seizure care applies to them but it does. One in 26 people may be affected by Epilepsy or similar condition in their life. As of 2019, over 15,000 people in the State of Hawaii and over 3 million in the United States are living in with Epilepsy. Even if they don't have Epilepsy, ten percent of the population may also experience a seizure in their lifetime from a head injury like a fall or car accident, wrong medication, diabetes, or even a high fever. With the onset of COVID -19, The Boston Medical Center, Cleveland Clinic, and other medical institutes have declared that seizures and strokes are becoming more common with the virus.

For those questioning whether seizures falls under a workplace hazard it most certainly may. **Seizures can be a result of a car, forklift, or other vehicle accident on the job. It can occur in workplaces or warehouses that deal with high heat levels. A head impact or fall on the job. It also becomes a danger once a vendor, customer, or visitor to a workplace enters a place of business and suffers from a seizure. The OSHA Recordkeeping Guidelines says, "work relationships is established under the OSHA recordkeeping system when the injury or illness results from an event or exposure in the work environment."**

When I first introduced this bill in person to the Committee for Labor, Culture, and the Arts, in February 2020 I asked the senators in the room to raise their hands. I also asked the audience to raise their hands if they were a visitor to the State Capitol with so many staff people and visitors coming to the State Capitol, State libraries, or offices, even more people could experience a seizure while they are at a state building. Now imagine all work places. Think of how many people working all over the state could be affected!

People should be able to feel secure in their place of employment. Everyone, no matter where they are working should be able to feel that way. I thought of our state offices, libraries, and other buildings first, because have been used by hundreds of members of the community daily. However I also think about my parents, my teachers, my coaches who have to work daily to provide for their families, and I want them to be safe. It is our duty to make sure everyone feels safe in these spaces.

My proposal is simple. Make sure first aid seizure information is placed in the work place for a safer work environment. I would love to see this start at state offices and buildings in areas such as libraries, break rooms, bulletin boards, and other shared spaces. These materials can even be through downloads or electronic mail to make it simple. I want to create a healthy work environment for everyone. I urge the committee to please pass SB 936. Thank you for giving me the opportunity to testify.

Brennan Yamaguchi

**SB-936-SD-2**

Submitted on: 3/15/2021 8:09:17 AM

Testimony for LAT on 3/16/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Benjamin Chen	Individual	Support	No

Comments:

This bill could be very beneficial to the safety of the people of Hawaii. If this bill was passed it would require basically everyone in theory except children unless they have a job to know how to stabilize/treat someone with epilepsy or someone having a seizure. I am writing this testimony in support of my friend and also to the benefit of people with epilepsy. I understand that this could prove to be very tedious but in spite of that, taking some time to teach people how to help someone having a seizure could be largely beneficial to the safety of our community. As I am only 12 years old, I may be missing something but I also think that the bill implies that anyone who is being employed or is the employer must know how to treat someone having a seizure therefor if at least one person in the vicinity of someone having a seizure has a job which is very likely then that person could be saved and live to see another day. Please consider passing this bill. It could help people with epilepsy insurmountably should there be any instance where oneself has an episode of epilepsy.

It would be of great benefit to my friends baseball teammate/friend and it would mean a lot to my friend as well, for him to see he has made such a big impact that could help not only his friend but other people as well.

**SB-936-SD-2**

Submitted on: 3/15/2021 8:38:54 AM

Testimony for LAT on 3/16/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Cheri Badua	Individual	Support	No

Comments:

To Whom It May Concern:

My name is Cheri Badua and I am writing in support of SB936. I work as a pharmacy technician at Kaiser Permanente's Honolulu Clinic and come into contact with a wide variety of individuals on a daily basis. We've had several incidents of patients having seizures in front of us and we have codes that we can call overhead to alert the medical staff. I would like our company to provide seizure education and training so that we can help these individuals in a moment's notice and feel confident, instead of feeling scared and helpless. It's a win-win for everyone!

**SB-936-SD-2**

Submitted on: 3/15/2021 8:54:50 AM

Testimony for LAT on 3/16/2021 9:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathy Yamamoto	Individual	Support	No

Comments:

My name is Kathy Yamamoto. My daughter Kira was diagnosed with Multi Focal Epilepsy at age 7. Prior to this, she would have episodes of Febrile Seizures since about 6 months old. After her diagnosis at age 7, as parents, we had no idea what we would do if she had a seizure while she was at school. What if she had a seizure if she was on a field trip? We met with her teachers and they were all informed with what needed to be done should she had a seizure while on campus.

This bill would be so very beneficial for epileptic patients and their families to ensure facilities and businesses would have the procedure posted to ensure quick action to help patients. This would **only** be beneficial to epilepsy patients as is other emergency procedure notices are already in existence.

I urge the passing of this bill to recognize that epilepsy IS very serious and also deserves as much awareness as other illnesses. Being seizure ready could save more lives.

**SB-936-SD-2**

Submitted on: 3/15/2021 11:57:41 AM

Testimony for LAT on 3/16/2021 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brianne Yamada	Individual	Support	No

Comments:

Aloha,

My name is Brianne Yamada and I am in full support of this bill. Epilepsy is something that we can continue to bring attention to in our community and educate others to assist in in time of a seizure or an emergency situation. We are pushing for the same support that was once received for AEDs in our state legsitration. Imagine the amount of lives saved due to this past effort. Thank you for this opportunity to share my support for SB936!