
A BILL FOR AN ACT

RELATING TO MEDICAL LIABILITY.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that liability for
2 medical products encourages manufacturer diligence, requires
3 essential testing be conducted, and protects consumers from
4 dangerous products. Therefore, manufacturers of mandated
5 medical products should not be exempt from these important
6 processes. Denying access to justice through civil suit is
7 antithetical to the principles of consumer protection and
8 corporate accountability. The purpose of this Act is to protect
9 consumers' right to be compensated for serious injury or death
10 that is related to a mandated medical product.

11 SECTION 2. Chapter 325, Hawaii Revised Statutes, is
12 amended by adding a new section to be appropriately designated
13 and to read as follows:

14 "§325- Medical Liability for Mandated Products. (a)
15 Notwithstanding any other law, a person may not be required by
16 the state or any public entity in this state to take, be
17 administered or otherwise receive or disclose whether the person



1 has taken, been administered, or otherwise received a medical
2 product unless the manufacturer of the medical product is liable
3 for any death or serious injury caused by the medical product.

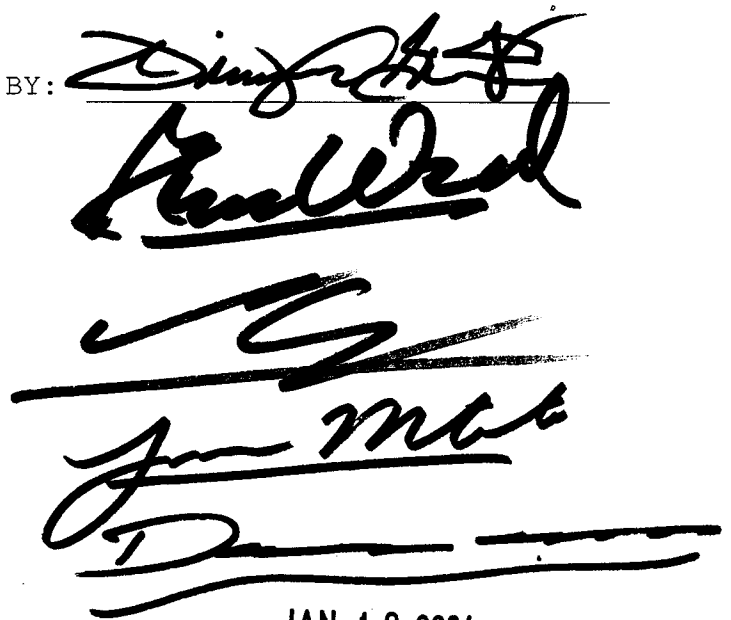
4 (b) For the purposes of this section a "medical product"
5 means any medical device, drug, or biologic."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2024.

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INTRODUCED BY:

The block contains four handwritten signatures in black ink, stacked vertically. The first signature is the most prominent and appears to be 'Ding'. The second signature is 'Kendall'. The third signature is 'Jim Mc'. The fourth signature is partially obscured and less legible.

JAN 18 2024



H.B. NO. 1725

Report Title:

Minority Caucus Package; Liability; Consumer Protection

Description:

Ensures that any mandated medical products are subject to standard liability.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

