

STAND. COM. REP. NO. **255D**

Honolulu, Hawaii

FEB 16 2024

RE: S.B. No. 1580
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Health and Human Services and Labor and Technology, to which was referred S.B. No. 1580 entitled:

"A BILL FOR AN ACT RELATING TO LABOR STANDARDS AT HEALTH CARE FACILITIES,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish certain minimum staff-to-patient ratios for hospitals, care homes, and dialysis facilities;
- (2) Require hospitals to create hospital staffing committees and staffing plans;
- (3) Establish certain meal break, rest break, and overtime provisions applicable to health care personnel at hospitals, care homes, and dialysis facilities; and
- (4) Appropriate moneys to the Department of Labor and Industrial Relations for implementation and enforcement.

Your Committees received testimony in support of this measure from Hawai'i Workers Center; IATSE Local 665; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Stonewall Caucus of the Democratic Party of Hawai'i; Pride at Work-Hawai'i; UNITE HERE Local 5; Hawaii State AFL-CIO; Healthcare School of Hawaii;



United Public Workers, AFSCME Local 646, AFL-CIO; Hawai'i Nurses' Association-OPEIU Local 50; and over one hundred ninety individuals.

Your Committees received testimony in opposition to this measure from the Department of Labor and Industrial Relations, Adventist Health Castle, Hawai'i Pacific Health, Hawaii Health Systems Corporation, Healthcare Association of Hawaii, Kapi'olani Medical Center for Women and Children, Wilcox Medical Center, Straub Medical Center, The Queen's Health System, American Organization of Nurse Leaders-Hawai'i Chapter, Ohana Pacific Health, and Liberty Dialysis-Hawaii.

Your Committees received comments on this measure from the Department of the Attorney General, Hawai'i State Center for Nursing, and U.S. Renal Care.

Your Committees find that the health care industry in Hawaii is facing a persistent staffing crisis, further intensified by the challenges posed by the coronavirus disease 2019 pandemic. The patient surge in the aftermath of the pandemic has pushed health care workers to their limits, and although it is a well-known fact that improved nurse-to-patient ratios greatly enhance patient safety and outcomes, nurses, nurse aides, and other health care workers who provide direct care to patients continue to face excessive workloads, including the assignment of too many patients and mandated overtime. This measure in its current form, would establish minimum staff-to-patient ratios and mandate reasonable working hours, and require hospitals to have hospital staffing committees, to improve the delivery of safe and high-quality patient care and the creation of a sustainable health care workforce.

Notwithstanding, your Committees acknowledge that developing a balanced and effective solution to this complex and multi-faceted issue requires cooperation and coordination from both the management and employee-side, including health care facilities, health care workers, unions representing health care workers, and other individuals with expertise and knowledge on the State's health care industry.



Accordingly, your Committees have amended this measure by:

- (1) Deleting its contents and inserting language that creates a Health Care Facilities Labor Standards Working Group to research, assess, and make recommendations on the best practices for labor standards that can be implemented at hospitals, care homes, and dialysis facilities in the State;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Labor and Technology that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1580, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1580, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Health and Human
Services and Labor and
Technology,


HENRY J.C. AQUINO, Chair


JOY A. SAN BUENAVENTURA, Chair



The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:*	Committee Referral:	Date:
SB 1580	HHS/LBT, CPN/WAM	2/12/24

The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	/			
AQUINO, Henry J.C. (VC)	/			
KEOHOKALOLE, Jarrett	/			
SHIMABUKURO, Maile S.L.	/			
AWA, Brenton	/			
TOTAL	5			

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

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 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes

The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Labor and Technology
LBT

Bill / Resolution No.:* SB1580	Committee Referral: HHS/LBT, CPN/WAM	Date: 2/12/24		
<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
AQUINO, Henry J.C. (C)	✓			
MORIWAKI, Sharon Y. (VC)	X			
IHARA, Jr., Les	✓			
LEE, Chris				✓
FEVELLA, Kurt	X			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; margin-top:10px;"> </div>				
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***Only one measure per Record of Votes**