STAND. COM. REP. NO. **(780)** Honolulu, Hawaii , 2025 APR 02 RE: S.B. No. 1323 S.D. 2 H.D. 2

Honorable Nadine K. Nakamura Speaker, House of Representatives Thirty-Third State Legislature Regular Session of 2025 State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred S.B. No. 1323, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE,"

begs leave to report as follows:

The purpose of this measure is to update laws concerning advance health care directives and advance mental health care directives by adopting the Uniform Health-Care Decisions Act (2023) in modified form.

Your Committee received testimony in support of this measure from the Department of the Attorney General; Department of Health; and Commission to Promote Uniform Legislation. Your Committee received comments on this measure from the Hawaii Disability Rights Center.

Your Committee finds that existing law provides a legal framework for advance health-care directives. This measure updates and consolidates these laws by adopting a modified version of the Uniform Health-Care Decisions Act (2023).

Your Committee has amended this measure by:



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- Reinserting language that provided a procedure for addressing objections by the individual to a nonjudicial finding that the individual lacks capacity;
- (2) Reinserting language that limited the authority of default surrogates; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

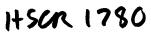
As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1323, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1323, S.D. 2, H.D. 2.

> Respectfully submitted on behalf of the members of the Committee on Judiciary & Hawaiian Affairs,

DAVID A. TARNAS, Chair



## State of Hawaii House of Representatives The Thirty-third Legislature



## Record of Votes of the Committee on Judiciary & Hawaiian Affairs

	ittee Referral: T , JHA				
The committee is reconsidering its previous decision on the measure.					
The recommendation is to:  Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)					
JHA Members	Ayes	Ayes (WR)	Nays	Excused	
1. TARNAS, David A. (C)		_			
2 BOEBOE Making (VC)					
2. POEPOE, Mahina (VC)					
3. BELATTI, Della Au					
4. COCHRAN, Elle				×	
5 HASHEM Mork J			and the second second		
5. HASHEM, Mark J.					
6. KAHALOA, Kirstin	<u>ta an an</u>				
7. PERRUSO, Amy A.					
8. TAKAYAMA, Gregg					
9. TODD, Chris			and strength and st		
10. GARCIA, Diamond					
11. SHIMIZU, Garner M.					
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	-				
<b>TOTAL</b> (11)		0	0	1	
The recommendation is: Adopted If joint referral, did not support recommendation.					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					