

STAND. COM. REP. NO.

1780

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:

2025-2958 SB1323_HD2 HSCR HMSO



- (1) Reinserting language that provided a procedure for addressing objections by the individual to a non-judicial 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



