STAND. COM. REP. NO. 2572

Honolulu, Hawaii

MAR 02 2012

RE: S.B. No. 3039 S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred S.B. No. 3039 entitled:

"A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit a health care facility or health care provider from discriminating against a person who has human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), or AIDS-related complex (ARC) and who is in need of an organ transplant by refusing to perform the organ transplantation; and
- (2) Specify that persons with HIV, AIDS, or ARC shall not be prohibited from receiving an anatomical gift.

Your Committee did not receive any testimony on this measure.

Your Committee finds that individuals with HIV, AIDS, or ARC were previously prevented from receiving organ transplants due to doubts that these patients could survive the procedure given their weakened immune systems. However, with advances in treatment, people with HIV, AIDS, and ARC are living longer now than they were twenty years ago. This measure provides people with HIV, AIDS, or ARC with a fair opportunity to receive potentially lifesaving organ transplants.

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Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to allow for further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3039, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3039, S.D. 1.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Labor,

CLAYTON HEE, Chair

## The Senate Twenty-Sixth Legislature State of Hawaiʻi

## Record of Votes Committee on Judiciary and Labor JDL

Bill / Resolution No.:*	Committee Referral:			Date: 2/2-1/12	
SB 3039 HTH, JDL 2/27/12					
The committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)					
SHIMABUKURO, Maile (VC)				· .	
GABBARD, Mike			_		
IHARA, Jr., Les					
SLOM, Sam					
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TOTAL	·	5			
Recommendation:  Adopted  Not Adopted					
Chair's or Designee's Signature:					
Distribution:         Original         Yellow         Pink         Goldenrod           File with Committee Report         Clerk's Office         Drafting Agency         Committee File Copy					

\*Only one measure per Record of Votes