#### HOUSE OF REPRESENTATIVES TWENTY-SEVENTH LEGISLATURE, 2014 STATE OF HAWAII

# H.B. NO. **1910**

### A BILL FOR AN ACT

RELATING TO DISABLED PERSONS.

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

1	SECT	ION 1. The Hawaii Revised Statutes is amended by	
2	adding a	new chapter to be appropriately designated and to read	
3	as follow	s:	
4		"CHAPTER	
5		DISABLED PERSON'S BILL OF RIGHTS	
6	Ş	-1 Disabled person's bill of rights; findings. The	
7	legislature finds that:		
8	(1)	Some disabled persons in the State are denied access	
9		to treatments and treatment modalities that are	
10		reasonably believed to be the most effective	
11		treatments for their conditions or diseases;	
12	(2)	Inadequate access to treatments that are known to be	
13		effective constitutes a significant health and quality	
14		of life issue for those disabled persons; and	
15	(3)	The share of health care spending for drugs and	
16		medications is rapidly increasing. It is therefore	
17		essential to maintain a competitive market in the	
18		supply of drugs and medications to ensure adequate	
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supplies and free and open competition in pricing. 1 Disabled persons, as consumers, are harmed when 2 wholesalers enforce contracts or agreements that 3 feature tying or exclusive purchasing terms, or any 4 type of disincentive to purchase from a competing 5 wholesaler or wholesalers. 6 -2 Bill of rights. (a) The disabled person's bill of 7 S rights includes the following: 8 The right to considerate and respectful care, 9 (1)including effective symptom or disability management, 10 with recognition of one's personal dignity; 11 The right to know, at all times, the identity, (2) 12 professional status, and professional credentials of 13 health care personnel, including the health care 14 provider who is primarily responsible for one's care; 15 The right to be advised in non-clinical terms of (3)16 information needed to knowingly consent to or refuse 17 treatment; provided that the information shall include 18 significant complications, risks, and benefits; 19 The right to receive information on all known 20 (4)

21 alternative treatments that are medically viable for 22 one's condition;



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1	(5)	The right to obtain treatment that a licensed
2		physician recommends even if the treatment is off-
3		label, not approved, or not legal for use or
4		consumption by the general population;
5	(6)	The right to quality care and treatment that is
6		consistent with available resources and generally
7		accepted standards; and
8	(7)	The right to refuse treatment to the extent allowable
9		by law and to be informed of the consequences of a
10		refusal.
11	(b)	It shall be unlawful for anyone to impose artificial
12	limits on	supplies or rationing of products, or to otherwise
13	interfere	with competition in the purchasing at wholesale of any
14	drug or me	edication by any retail pharmacy for resale, except as
15	otherwise	provided by federal law.
16	(c)	Nothing in this section shall be construed to expand
17	the autho:	rized scope of practice of any licensed physician."
18	SECT	ION 2. This Act shall take effect upon its approval.
19		

2 may INTRODUCED BY: JAN 1 7 2014



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Report Title: Disabled Persons; Bill of Rights

Description: Establishes a bill of rights for disabled persons.

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