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## A BILL FOR AN ACT

RELATING TO HEALTH.

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

1       SECTION 1. The legislature finds that the emergency  
2 medical system can easily overwhelm many patients, some of whom  
3 may be unaware of their treatment and care rights. For example,  
4 sometimes patients and their family members disagree with the  
5 diagnosis or treatment plan provided by an emergency room  
6 physician, but feel compelled to accept the prescribed treatment  
7 plan because they are unaware of how to request an opinion from  
8 a different physician.

9       The legislature also finds that establishment of a failsafe  
10 program to ensure that patient and family member concerns are  
11 addressed in a proactive manner can minimize incidents and  
12 decisions that negatively affect patient health.

13       The purpose of this Act is to establish a twenty-four hour,  
14 on-call emergency services failsafe program to assist physicians  
15 and patients in obtaining the opinion of another physician on  
16 high-risk cases, in situations when a consultation is warranted,



1 and when a patient, a patient's family member, or hospital  
2 patient advocate disagrees with a diagnosis or treatment plan.

3 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
4 amended by adding a new section to be appropriately designated  
5 and to read as follows:

6 "§321- Emergency services failsafe program; established.

7 (a) The department of health shall establish an emergency  
8 services failsafe program to provide:

9 (1) Convenient and expeditious consultation services to  
10 treating emergency room physicians and nursing staff,  
11 for purposes of ensuring that emergency room patients  
12 are provided with appropriate medical care, including  
13 obtaining the opinion of another physician; and

14 (2) Patients and their family members with a convenient  
15 and expeditious method to request the opinion of  
16 another physician, including a senior emergency room  
17 physician, regarding the diagnosis or treatment plan  
18 prescribed by an emergency room physician.

19 (b) The director of health shall adopt rules necessary for  
20 the purposes of this section pursuant to chapter 91."



1       SECTION 3. There is appropriated out of the general  
2 revenues of the State of Hawaii the sum of \$       or so much  
3 thereof as may be necessary for fiscal year 2015-2016 and the  
4 same sum or so much thereof as may be necessary for fiscal year  
5 2015-2016 for implementation and operation of the emergency  
6 services failsafe program.

7       The sums appropriated shall be expended by the department  
8 of health for the purposes of this Act.

9       SECTION 4. New statutory material is underscored.

10       SECTION 5. This Act shall take effect on July 1, 2015.

11  
INTRODUCED BY:

*Allen A. Belatti*

**(BY REQUEST)**

JAN 28 2015



# H.B. NO. 1147

**Report Title:**

Emergency Services Failsafe Program; Medical Services; Emergency Room

**Description:**

Establishes the emergency services failsafe program to assist physicians and patients in obtaining a second medical opinion regarding diagnosis and treatment.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

