

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 1221  
S.D. 2

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2015  
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 1221, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to require the Department of Education to provide care for students with diabetes during school and school-related activities.

More specifically, this measure:

- (1) Requires that a minimum of three school employees or qualified volunteers be trained in order to provide care for students with diabetes, if a student with diabetes is enrolled in that school;
- (2) Requires a parent or a guardian of a student with diabetes to submit a diabetes medical management plan to be implemented by the school;
- (3) Requires a school to ensure that a student who has submitted a diabetes medical management plan receives the appropriate diabetes care specified in the plan, when at school or a school-related activity;
- (4) Ensures that a student with diabetes may attend any school the student would otherwise be able to attend if the student did not have diabetes;



- (5) Authorizes a student, upon written request of the student's parent or guardian, to perform required care in accordance with the student's diabetes medical management plan;
- (6) Requires each school that has at least one student with diabetes enrolled to provide to the Department of Education a report regarding compliance with students' diabetes medical management and requires that the Department publish the reports on its website; and
- (7) Establishes an administrative review process for an alleged failure of a school to comply with these requirements.

Your Committee received written comments in support of this measure from the American Diabetes Association, American Academy of Pediatrics, and thirty-nine individuals. Your Committee received written comments on this measure from the Department of Education and the State Public Charter School Commission.

Your Committee finds that the number of students diagnosed with diabetes who attend public schools in Hawaii is increasing. Because diabetes must be managed twenty-four hours a day, it often interferes with a student's participation in school. Further, because diabetes management is critical throughout the school day, your Committee finds that trained personnel are needed at schools to assist students with diabetes management to ensure these students have the same access to educational opportunities as other students in Hawaii.

Your Committee notes the Department of Education's concerns regarding implementation of this measure. Your Committee requests that, as this measure moves forward, the Department provide the relevant Standing Committees with cost estimates to effectuate this measure, as well as information on the capacity impact the measure would pose on schools, personnel, and affected service providers.

Your Committee is acutely aware of the importance of protecting the privacy of students' medical and personal information. Your Committee notes that requiring a report from each school in which a student with diabetes is enrolled may raise



confidentiality concerns. Accordingly, your Committee has amended this measure by:

- (1) Requiring the Department of Education to submit an annual district-wide report to the Legislature and Governor as to the overall compliance with this statute and any challenges faced or additional resources required to effectuate its provisions, rather than publish a report from each school;
- (2) Making an appropriation of an unspecified amount for the Department of Education to effectuate this measure;
- (3) Making an appropriation of an unspecified amount for the Department of Health to effectuate this measure; and
- (4) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1221, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1221, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
\_\_\_\_\_  
JILL N. TOKUDA, Chair



The Senate  
Twenty-Eighth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB1221 SD1</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">EDU/HTH, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3/4/15</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.				✓
SLOM, Sam	✓			
<b>TOTAL</b>	10	0	0	1
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted           <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; text-align: center;">MUN-LL</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div><b>Distribution:</b></div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.7em; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

\*Only one measure per Record of Votes