

JAN 19 2018

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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 quality assurance  
2       committees provide hospitals, health plans, long term care  
3       facilities, and other healthcare organizations with a mechanism  
4       to evaluate, monitor, and improve quality of care; reduce  
5       patient risk and error; and assess the overall effectiveness of  
6       care provided to patients. Quality assurance committees are  
7       well established and essential to our healthcare delivery  
8       system.

9       However, the legislature notes that there are two separate  
10      and inconsistent definitions of "quality assurance committee" in  
11      the Hawaii Revised Statutes. Because of this inconsistency,  
12      quality assurance committees established by different types of  
13      health care organizations may face different confidentiality and  
14      liability protection provisions.

15      The purpose of this Act is to make the usage of the term  
16      "quality assurance committee" consistent throughout the Hawaii  
17      Revised Statutes.



Specifically, this Act amends the definition of "quality assurance committee", for the purpose of liability protection, to:

- (1) Include committees established by long-term care facilities, skilled nursing facilities, assisted living facilities, home care agencies, hospices, and authorized state agencies; and
- (2) Allow for the creation of a quality assurance committee outside of a single health plan or hospital.

SECTION 2. Section 663-1.7, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) As used in this section:

"Ethics committee" means a committee that may be an interdisciplinary committee appointed by the administrative staff of a licensed hospital, whose function is to consult, educate, review, and make decisions regarding ethical questions, including decisions on life-sustaining therapy.

"Licensed health maintenance organization" means a health maintenance organization licensed in Hawaii under chapter 432D.

"Peer review committee" means a committee created by a professional society, or by the medical or administrative staff



1 of a licensed hospital, clinic, health maintenance organization,  
2 preferred provider organization, or preferred provider network,  
3 whose function is to maintain the professional standards of  
4 persons engaged in its profession, occupation, specialty, or  
5 practice established by the bylaws of the society, hospital,  
6 clinic, health maintenance organization, preferred provider  
7 organization, or preferred provider network of the persons  
8 engaged in its profession or occupation, or area of specialty  
9 practice, or in its hospital, clinic, health maintenance  
10 organization, preferred provider organization, or preferred  
11 provider network.

12 "Preferred provider organization" and "preferred provider  
13 network" means a partnership, association, corporation, or other  
14 entity which delivers or arranges for the delivery of health  
15 services, and which has entered into a written service  
16 arrangement or arrangements with health professionals, a  
17 majority of whom are licensed to practice medicine or  
18 osteopathy.

19 "Professional society" or "society" means any association  
20 or other organization of persons engaged in the same profession  
21 or occupation, or a specialty within a profession or occupation,



1 a primary purpose of which is to maintain the professional  
2 standards of the persons engaged in its profession or occupation  
3 or specialty practice.

4 "Quality assurance committee" means [an]:

5 (1) An interdisciplinary committee established by the  
6 board of trustees or administrative staff of a  
7 licensed hospital, clinic, long-term care facility,  
8 skilled nursing facility, assisted living facility,  
9 home care agency, hospice, health maintenance  
10 organization, preferred provider organization, [or]  
11 preferred provider network[7] providing medical,  
12 dental, or optometric care, or an authorized state  
13 agency whose function is to monitor and evaluate  
14 patient care[7, and] to identify, study, and correct  
15 deficiencies [and seek improvements in the patient  
16 care delivery process.] in the health care delivery  
17 system, with a goal of reducing the risk of harm to  
18 patients, improving patient safety, or otherwise  
19 improving the quality of care delivered to patients;  
20 or



(2) An interdisciplinary committee composed of  
representatives of organizations described in  
paragraph (1) that is established collectively by the  
boards of trustees or administrative staff of these  
organizations, and whose function is to monitor and  
evaluate patient care to identify, study, and correct  
deficiencies in the health care delivery system, with  
a goal of reducing the risk of harm to patients,  
improving patient safety, or otherwise improving the  
quality of care delivered to patients."

SECTION 3. Statutory material to be repealed is bracketed  
and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

INTRODUCED BY:

*Thomas H. ...*  
*James R. ...*

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# S.B. NO. 2321

**Report Title:**

Health; Quality Assurance Committees; Definition

**Description:**

Amends the definition of "quality assurance committee" to include committees established by long-term care facilities, skilled nursing facilities, assisted living facilities, home care agencies, hospices, and authorized state agencies. Allows for the creation of a quality assurance committee outside of a single health plan or hospital.

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

