Honolulu, Hawaii

FFR 0.5 , 2020

RE: H.B. No. 2340 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 2340 entitled:

"A BILL FOR AN ACT RELATING TO DEAD BODIES,"

begs leave to report as follows:

The purpose of this measure is to clarify prohibited actions related to anatomical gifts and disposition of bodies.

Your Committee has received testimony in support of this measure from the Department of Health and one individual.

Your Committee finds that this measure will protect vulnerable donors and their loved ones from making anatomical gifts to people or entities other than recipients who are capable of handling bodies with care and respect for legitimate medical or research purposes. Your Committee also finds that this measure will prevent body donations to people or entities who may not take the necessary steps to create a death certificate and obtain a disposition permit for the body.

Your Committee has amended this measure by:

(1) Specifying that the offense of abuse of a corpse, which occurs upon the disposal of a dead human body without a disposition permit, only applies to entities to whom

body parts are entrusted, rather than persons, as that term is defined under the Hawaii Penal Code;

- (2) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that this measure is necessary to maintain the dignity of deceased persons by creating tougher safeguards to whom the deceased persons may make anatomical gifts. Should your Committee on Consumer Protection and Commerce consider this measure, your Committee requests that the Department of Health collaborate with your Committee on Consumer Protection and Commerce to address any outstanding concerns with this measure.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2340, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2340, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Health,



State of Hawaii House of Representatives The THIRTIETH Legislature

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 2340	Committee Referral: HT CPC, JUD			Date: 1-30-2020		
☐ The committee is reconsidering its previous decision on the measure.						
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)						
HLT Members		Ayes	Ayes (W	R)	Nays	Excused
1. MIZUNO, John M. (C)		V		32.50		
2. KOBAYASHI, Bertrand (VC)		V				
3. BELATTI, Della Au						
4. NAKAMURA, Nadine K.	. 18 7903.					
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5. SAN BUENAVENTURA, Joy A.	14 1 1 5 4 1 1 N		užieny, eri			
6. SAY, Calvin K.Y.		V	<u>un until dest læx</u>			
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7. TOKIOKA, James Kunane						
8. WARD, Gene						
o. WARD, Gene						
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TOTAL (8)		1	0	- 4	-	1
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						