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# A BILL FOR AN ACT

RELATING TO EMERGENCY MEDICAL RESPONSE.

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

1 PART I

2 SECTION 1. In accordance with section 9 of article VII of  
3 the Hawaii State Constitution and sections 37-91 and 37-93,  
4 Hawaii Revised Statutes, the legislature has determined that the  
5 appropriations contained in H.B. No. 300, H.D. 1, S.D. 1,  
6 C.D. 1, and this Act will cause the state general fund  
7 expenditure ceiling for fiscal year 2023-2024 to be exceeded by  
8 \$1,064,267,367 or 11.0 per cent. This current declaration takes  
9 into account general fund appropriations authorized for fiscal  
10 year 2023-2024 in H.B. No. 300, H.D. 1, S.D. 1, C.D. 1, and this  
11 Act only. The reasons for exceeding the general fund  
12 expenditure ceiling are that:

- 13 (1) The appropriations made in this Act are necessary to  
14 serve the public interest; and  
15 (2) The appropriations made in this Act meet the needs  
16 addressed by this Act.

17 SECTION 2. The legislature finds that in critical medical  
18 emergencies, each minute matters. Long-term injury, brain



1 damage, and even death can occur within just a few minutes in  
2 some types of emergencies. Whether it is a student choking or a  
3 teacher experiencing cardiac arrest, help provided within four  
4 minutes, rather than eight minutes, can save a life.

5 The legislature further finds that while the department of  
6 education currently has basic emergency response guidance, there  
7 is a gap between the guidance provided to "administer first aid"  
8 and the training and preparedness of personnel in the case of an  
9 unforeseen critical medical emergency.

10 Accordingly, the purpose of this Act is to:

- 11 (1) Establish within the department of education, a one-  
12 year critical emergency response pilot program to  
13 establish a critical emergency response team for each  
14 department school located in central Oahu selected by  
15 the department of education to participate in the  
16 pilot program;
- 17 (2) Establish within the state public charter school  
18 commission, a one-year critical emergency response  
19 pilot program to establish a critical emergency  
20 response team for each public charter school selected



1 by the state public charter school commission to  
2 participate in the pilot program;

3 (3) Require the department of education and state public  
4 charter school commission to report to the legislature  
5 before the regular session of 2024; and

6 (4) Appropriate funds.

7 PART II

8 SECTION 3. (a) There is established within the department  
9 of education, a one-year critical emergency response pilot  
10 program to establish a critical emergency response team for each  
11 department school located in central Oahu selected by the  
12 department of education to participate in the pilot program.

13 (b) The critical emergency response team for each  
14 department school participating in the pilot program shall  
15 consist of critical emergency response team members, each of  
16 whom shall:

17 (1) Maintain active certifications in first aid,  
18 cardiopulmonary resuscitation, and automated external  
19 defibrillator from organizations approved by the  
20 department; provided that any certification more than



1 two years old shall not be valid for purposes of this  
2 paragraph; and

3 (2) Respond in good faith when activated.

4 (c) Any person who acts in accordance with the  
5 requirements of this part shall be immune from any civil or  
6 criminal liability arising from these acts, except where the  
7 person's conduct would constitute gross negligence, willful and  
8 wanton misconduct, or intentional misconduct.

9 (d) Each department school participating in the pilot  
10 program shall:

11 (1) Develop a known, practiced, and maintained  
12 communication method to activate the school's critical  
13 emergency response team members; and

14 (2) Run not less than two critical emergency drills during  
15 the 2023-2024 school year; provided that the drill  
16 response time goal shall be less than three minutes.

17 (e) For purposes of this part:

18 "Critical emergency" means a situation in which a person is  
19 in immediate danger of loss of life, including from cardiac  
20 arrest, choking, or uncontrolled bleeding.



1 "First aid" means lifesaving help given in a critical  
2 emergency, including providing abdominal thrusts when someone is  
3 choking, performing cardiopulmonary resuscitation when someone  
4 is unconscious and does not have a pulse, or applying pressure  
5 or a tourniquet in an uncontrolled bleeding.

6 SECTION 4. The department of education shall submit a  
7 report of its findings and recommendations, including any  
8 proposed legislation, for the critical emergency response pilot  
9 program to the legislature no later than twenty days prior to  
10 the convening of the regular session of 2024. The report shall  
11 include the department of education's recommendations as to  
12 whether the pilot program should be extended or expanded to  
13 include all department schools within the State.

14 SECTION 5. There is appropriated out of the general  
15 revenues of the State of Hawaii the sum of \$350,000 or so much  
16 thereof as may be necessary for fiscal year 2023-2024 for the  
17 department of education to implement the critical emergency  
18 response pilot program established pursuant to this part.

19 The sum appropriated shall be expended by the department of  
20 education for the purposes of this part.

21 PART III



1 SECTION 6. (a) There is established within the state  
2 public charter school commission, a one-year critical emergency  
3 response pilot program to establish critical emergency response  
4 teams for certain public charter schools within the State. The  
5 state public charter school commission shall select the public  
6 charter schools that shall participate in the pilot program.

7 (b) The critical emergency response team for each public  
8 charter school participating in the pilot program shall consist  
9 of critical emergency response team members, each of whom shall:

10 (1) Maintain active certifications in first aid,  
11 cardiopulmonary resuscitation, and automated external  
12 defibrillator from organizations approved by the  
13 department; provided that any certification more than  
14 two years old shall not be valid for purposes of this  
15 paragraph; and

16 (2) Respond in good faith when activated.

17 (c) Any person who acts in accordance with the  
18 requirements of this part shall be immune from any civil or  
19 criminal liability arising from these acts, except where the  
20 person's conduct would constitute gross negligence, willful and  
21 wanton misconduct, or intentional misconduct.



1 (d) Each public charter school participating in the pilot  
2 program shall:

3 (1) Develop a known, practiced, and maintained  
4 communication method to activate the school's critical  
5 emergency response team members; and

6 (2) Run not less than two critical emergency drills during  
7 2023-2024 school year; provided that the drill  
8 response time goal shall be less than three minutes.

9 (e) For purposes of this part:

10 "Critical emergency" means a situation in which a person is  
11 in immediate danger of loss of life, including from cardiac  
12 arrest, choking, or uncontrolled bleeding.

13 "First aid" means lifesaving help given in a critical  
14 emergency, including providing abdominal thrusts when someone is  
15 choking, performing cardiopulmonary resuscitation when someone  
16 is unconscious and does not have a pulse, or applying pressure  
17 or a tourniquet in an uncontrolled bleeding.

18 SECTION 7. The state public charter school commission  
19 shall submit a report of its findings and recommendations,  
20 including any proposed legislation, for the critical emergency  
21 response pilot program to the legislature no later than twenty



1 days prior to the convening of the regular session of 2024. The  
2 report shall include the state public charter school  
3 commission's recommendations as to whether the pilot program  
4 should be extended or expanded to include all public charter  
5 schools within the State.

6 SECTION 8. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$150,000 or so much  
8 thereof as may be necessary for fiscal year 2023-2024 for the  
9 state public charter school commission to implement the critical  
10 emergency response pilot program established pursuant to this  
11 part.

12 The sum appropriated shall be expended by the state public  
13 charter school commission for the purposes of this part.

14 PART IV

15 SECTION 9. This Act shall take effect on July 1, 2023.



**Report Title:**

Critical Emergency Response; Pilot Program; DOE; State Public Charter School Commission; Safety; Appropriation; Expenditure Ceiling

**Description:**

Establishes within the Department of Education, a one-year Critical Emergency Response Pilot Program to establish a critical emergency response team for each department school located in central Oahu selected by the Department of Education to participate in the Pilot Program. Establishes within the State Public Charter School Commission, a one-year Critical Emergency Response Pilot Program to establish a critical emergency response team for each public charter school selected by the Commission to participate in the Pilot Program. Requires the Department of Education and State Public Charter School Commission to report to the Legislature. Appropriates funds. (CD1)

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

