

STAND. COM. REP. NO.

2196

Honolulu, Hawaii

FEB 08 2024

RE: S.B. No. 2529
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred S.B. No. 2529 entitled:

"A BILL FOR AN ACT RELATING TO PROVIDER ORDERS FOR LIFE SUSTAINING TREATMENT FORM,"

begs leave to report as follows:

The purpose and intent of this measure is to amend the definition of "patient's provider" in state law governing Provider Orders for Life-Sustaining Treatment (POLST) by removing language that requires the provider to examine the patient.

Your Committee received testimony in support of this measure from the Department of Health; Kaiser Permanente Hawai'i; Kōkua Mau; Hospice Maui; Hospice Hawaii, Inc. dba Navian Hawaii; Hawaii Association of Health Plans; Hawaii Medical Service Association; Hawai'i Care Choices; and five individuals.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that POLST is a portable medical order that documents a patient's care plan outside the hospital that sets forth the patient's wishes and directions regarding the provision of resuscitative and life-sustaining measures. Your Committee further finds that existing law requires POLST forms to be signed by the "patient's provider", defined as a licensed



physician, advanced practice registered nurse, or physician assistant "who has examined the patient." This examination requirement can cause delays for a patient when a sudden and unexpected change in their health requires urgent POLST documentation but the patient does not have a provider that they see regularly, their provider is out of the office, or if they cannot get an immediate appointment, potentially leading to patients receiving unwanted life-prolonging treatments. This measure will remove barriers for patients when creating or updating POLST documentation.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2529, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2529, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health and Human
Services,



JOY A. SAN BUENAVENTURA, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:* SB2529	Committee Referral: HHS, JDC	Date: 1/31/2024
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
AQUINO, Henry J.C. (VC)	✓			
KEOHOKALOOLE, Jarrett	✓			
SHIMABUKURO, Maile S.L.	✓			
AWA, Brenton	✓			
TOTAL	5			

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:

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***Only one measure per Record of Votes**