



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
KA 'OIHANA HO'ONA'AUAO  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 02/13/2023  
**Time:** 03:45 PM  
**Location:** CR 229 & Videoconference  
**Committee:** Senate Education  
Senate Health and Human Services

**Department:** Education

**Person Testifying:** Keith T. Hayashi, Superintendent of Education

**Title of Bill:** SB 1443 RELATING TO ASTHMA.

**Purpose of Bill:** Authorizes the department of education to stock bronchodilators for emergency use during respiratory distress and authorize department employees to volunteer to administer bronchodilators.

**Department's Position:**

The Hawaii State Department of Education (Department) respectfully offers comments on SB 1443.

The Department currently has systems in place to support students with chronic health conditions, such as asthma. Upon notification of a student with a chronic health condition, a team is formed with the student's parent or legal guardian, a Hawaii State Department of Health Public Health Nurse, and all appropriate school staff to develop an Emergency Action Plan individualized to the student's needs during the school day. The Emergency Action Plan is reviewed annually and as needed.

To ensure the safety and well-being of all students, every Department school has a School Health Assistant trained in first aid, cardiopulmonary resuscitation, and medication administration. Sections 302A-851 and 302A-853, Hawaii Revised Statutes (HRS), support the safe and effective administration of medication to students by School Health Assistants and the Nurse Practice Act allows and covers medication administration by School Health Assistants. Per Section 302A-1164, HRS, the Department allows for the self-administration of medication by a student for asthma,

anaphylaxis, diabetes, or other potentially life-threatening illnesses.

Should the measure move forward, the Department respectfully requests the following revisions to better align with the intent to improve access to medication in schools to support students with asthma:

Page 3, Lines 11-12: “~~Develop~~ Follow the Department’s protocol related to the training of ~~school~~ its employees and agents, the maintenance and location of the”-

Page 4, Line 1: “valid prescription, accept unused and unexpired donated bronchodilators”

Page 4, Line 18: “~~Ensure~~ Encourage that a school nurse or other authorized”

Page 6, Lines 10-15: “Emergency use of bronchodilators; ~~provided that a school may maintain a supply of bronchodilators to be administered by a school nurse or other authorized employees and agents for actual or perceived asthma episodes pursuant to section 302A—.~~”

Page 12, Line 5: “employees and agents, including the prescribing physician, physician assistant, or advanced practice registered nurse, and”

Passage of this bill would have a financial impact on the Department and may adversely impact priorities as indicated in the Department's Hawaii State Board of Education approved budget. Implementation of this bill statewide would require initial and long term costs to acquire bronchodilators, devices and device components; obtain and install medication storage equipment; deliver the required training; and provide administrative support for schools. An annual appropriation of \$176,000 would be necessary to carry out the purposes of this measure.

Thank you for the opportunity to provide testimony on SB 1443.

**COMMITTEE ON EDUCATION****Senator Michelle N. Kindani, Chair****COMMITTEE ON HEALTH AND HUMAN SERVICES****Senator Joy A. San Buenaventura, Chair****Thursday, February 13, 2023 – 3:45pm Conference Room 229****Testimony in Support of Senate Bill 1443 Relating to Asthma**

The American Lung Association is the leading organization working to save lives by improving lung health and preventing lung disease, through research, education, and advocacy. The work of the American Lung Association in Hawaii and across the nation is focused on four strategic imperatives: to defeat lung cancer; to improve the air we breathe; to reduce the burden of lung disease on individuals and their families; and to eliminate tobacco use and tobacco-related diseases.

**The American Lung Association strongly supports Senate Bill 1443, relating to asthma. The bill would authorize the department of education to stock bronchodilators for emergency use during respiratory distress and authorize department employees to volunteer to administer bronchodilators.**

Asthma is a serious public health concern in Hawai'i. In 2018, 10.2% of Hawai'i children were estimated to have asthma compared to 7.5% of children in the U.S. as a whole.<sup>1</sup> In Hawai'i, disparities in asthma prevalence are seen in race/ethnicity and region, with Native Hawaiians being disproportionately affected by asthma and experiencing the greatest burden. Native Hawaiians have the highest asthma prevalence at 28.3% compared to Caucasians (17.1%), Chinese (16.4%), Filipino (20.5%), Japanese (17.7%), or other races/ethnicities (19.8%).<sup>2</sup> Areas with high asthma prevalence include Hawai'i and Maui counties and the Nānākuli/Wai'anae sub-county areas on O'ahu. Asthma disparities can be further exacerbated by geographic isolation, lack of transportation to and from doctor's appointments, lower socioeconomic status, and limited access to healthcare specialists and subspecialists.

Absenteeism due to poorly controlled asthma may negatively affect educational outcomes and limit students with asthma's ability to fully participate in school activities, and when children miss school, a parent or guardian often misses work to care for them. Addressing asthma effectively requires a coordinated effort among school staff, home/family members, and the primary care physician in order to improve health outcomes for children with asthma.

Because asthma attacks can occur anytime and often without warning, children with asthma should always have access to medication that can quickly reverse the blockages in their lungs. This life-saving medication, called a short-acting bronchodilator, is easy to administer, inexpensive, and very safe.

While there is a system in place to help children who have diagnosed asthma by allowing children to bring their own asthma inhalers and either keep them at school or carry with them, unfortunately we cannot expect that all children with asthma will have their inhalers on them. When children do not have asthma medication, which can occur for a variety of reasons such as forgetting it or not being able to afford it, schools have few options. A parent may not be immediately accessible or close enough to respond promptly. Even if they can, there is a delay during which the asthma attack often gets worse. In such cases, the school must call 911. Doing so is likely to lead to an ambulance transport costing \$500 or more and an emergency department visit costing thousands more. Such events also take children out of the classroom for days at a time and further impede their learning.

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<sup>1</sup> CDC, Risk Youth Behavioral Survey, Hawaii, 2019

<sup>2</sup> Uchima O, Taira DA, Ahn HJ, Choi SY, Okihiro M, Sentell T. Disparities in Potentially Preventable Emergency Department Visits for Children with Asthma among Asian Americans, Pacific Islanders, and Whites in Hawai'i. International Journal of Environmental Research and Public Health. 2021

Currently, Keiki Nurses are able to carry stock albuterol and administer to children. However, there are not enough keiki nurses to be available in every school. Even if they were in every school, it's impossible for them to keep watch on every sports practice, marching band practice, or PE class where children may more likely experience respiratory distress. Because of the safety of the medication used and the life-threatening implications of an asthma attack, we believe it is imperative that we train other staff to assess, access and administer the required medication that would potentially save a student's life.

SB 1443 also provides important liability protection for the prescriber, the school and the person who administers the medication in good faith. As mentioned before the medication used for treatment of asthma attacks is safe and effective. In addition, as part of a research project in the Sunnyside Unified School District in Tucson, Arizona that evaluated a stock asthma inhaler project there, researchers found that school nurses were afraid that giving the medication could potentially expose them to liability, so it is imperative that the liability protections as outlined in the bill remain.

SB 1443 represents a simple and low-cost solution to a problem that could save both lives and money. In total, [15 states](#) have passed legislation or have administrative guidelines in place allowing schools to stock asthma medications. However, there are key provisions that should be included in this legislation to ensure it will be as effective as possible. These include:

- Making sure the legislation applies to all public and nonpublic schools.
- Applying the legislation to both students who have been diagnosed with asthma and students suffering from respiratory distress that may not have been diagnosed yet.
- Ensuring that school staff other than school health officials are required to be properly trained in the proper use and administration of the stock asthma medication.
- Making certain that all school staff, officials or health care providers involved in administration or prescribing of stock asthma medication receive liability protection except in cases of willful or gross negligence.

The Lung Association thanks the Hawai'i Legislature for their continued commitment to the health and wellbeing of the residents of our state and the desire to protect Hawai'i's students. The Lung Association strongly supports SB 1443 as drafted and encourages swift action to move the bill out of committee.

For further reading on this issue, attached are two articles which appeared in peer reviewed journals speaking to the efficacy and importance of stock albuterol in schools.

With gratitude,



Pedro Haro  
Executive Director  
American Lung Association in Hawai'i  
[pedro.haro@lung.org](mailto:pedro.haro@lung.org)

# TESTIMONY OF EVAN OUE ON BEHALF OF THE HAWAII ASSOCIATION FOR JUSTICE (HAJ) WITH COMMENTS ON SB 1443

Date: Wednesday, February 13, 2023

Time: 3:45 p.m.

My name is Evan Oue and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) with **COMMENTS** on SB 1443, Relating to Health. While HAJ appreciates the intent of the measure, we have **serious concerns with SB 1443** in its current form as it grants immunity from any civil damages arising from administration of a bronchodilator in an emergency situation by a school employee or agent.

Specifically, section (i) states "Any person, school district, or school and its employees and agents, including the prescribing physician and pharmacy filling the prescription, except for a qualified health care professional providing the training required **in subsections (g) and (h), who acts in accordance with the requirements of this section shall be immune from any civil or criminal liability** arising from these acts, except where, the person's conduct would constitute **gross negligence, wilful and wanton misconduct, or intentional misconduct.**"

HAJ understands the need for requiring schools to have an employee trained to administer a bronchodilator to ensure student safety. However, designated school employees or agents should not be granted complete immunity from civil liability for administration of seizure medication. The standard of care for our vulnerable students should be upheld. When a school employee is rendering aid, the applicable standard would be similar to Hawai'i's good Samaritan statutes which provides for immunity "unless the person's acts constitute gross negligence or wanton acts or omissions." HRS § 663-1.6.

Further, "any person who in good faith renders emergency care, without remuneration or expectation of remuneration, at the scene of an accident or emergency to a victim of the accident or

emergency shall not be liable for any civil damages resulting from the person's acts or omissions, **except for such damages as may result from the person's gross negligence or wanton acts or omissions.**" HRS. § 663-1.5.

Therefore, at the very least school employees who render aid under this bill should be immune from liability unless their acts constitute gross negligence or wanton acts. Furthermore, schools owe their students a duty of reasonable care in ensuring each student's safety. *See Doe Parents No. 1 v. State, Dep't of Educ.* Courts have held that the DOE shares a "special relationship"—*i.e.*, a quasi-parental or *in loco parentis* custodial relationship—with its students, which obligates the DOE to exert reasonable care in ensuring each student's safety and welfare, as would a reasonably prudent parent.

In other words, the DOE owes its students the duty to take whatever precautions are reasonable to prevent harms that it anticipates, or reasonably should anticipate. Schools owe their students a duty of reasonable care in ensuring each student's safety, this should include when rendering aid. Exempting public schools from all liability in connection with administering a bronchodilator is not in line with Hawai'i Supreme Court precedent nor Hawai'i's current Good Samaritan law.

Furthermore, this measure provide immunity to the prescribing physician and pharmacy filling the prescription. As medical professionals, there's a higher standard in which they must practice. This provision would essentially create immunity from medical malpractice for these designated physicians and pharmacies for the bronchodilator. This would be against public policy to allow qualified and trained physicians to have immunity. Our students would be at significant risk without any form of recourse if the physicians or pharmacist are negligent.

Accordingly, HAJ respectfully requests that the recommended amendments to subsection (i) on page 12, lines 4-6 and line 8 be deleted to remove the civil liability limitations for the designated employees, agents, physicians and pharmacists to preserve the rights of our students.

Thank you for allowing us to testify regarding this measure. Please feel free to contact us should you have any questions or desire additional information.



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
KA 'OIHANA O KA LOIO KUHINA  
THIRTY-SECOND LEGISLATURE, 2023**

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**ON THE FOLLOWING MEASURE:**  
S.B. NO. 1443, RELATING TO ASTHMA.

**BEFORE THE:**  
SENATE COMMITTEES ON EDUCATION AND ON HEALTH AND HUMAN SERVICES

**DATE:** Monday, February 13, 2023      **TIME:** 3:45 p.m.

**LOCATION:** State Capitol, Room 229

**TESTIFIER(S):** Anne E. Lopez, Attorney General, or  
Anne T. Horiuchi, Deputy Attorney General

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Chairs Kidani and San Buenaventura and Members of the Committees:

The Department of the Attorney General (Department) provides the following comments.

The bill authorizes the Department of Education (DOE) to stock bronchodilators for emergency use during respiratory distress and authorizes certain DOE employees to volunteer to administer bronchodilators.

The Department respectfully recommends the following amendments:

- (1) "School nurse" is not a defined term in chapter 302A, Hawaii Revised Statutes (HRS). The term "school health aides," however, is already used in section 302A-853, HRS, regarding the administration of medication. We suggest replacing "school nurse[s]" with "school health aide[s]" on page 3, line 6; page 4, lines 9, 15, and 18; page 6, line 12; and page 12, lines 1-2.
- (2) "School" is not a defined term for chapter 302A, HRS. See section 302A-101, HRS. If the new section is intended to apply to all public schools, including charter schools, we suggest inserting the word "public" before the word "school" throughout the proposed new section to be added to chapter 302A, HRS. If, however, the new section is not intended to apply to charter schools, we suggest inserting the word "department" before the word "school" throughout the proposed new section. We identified the term "school" that

may need the addition of "public" or "department" on page 3, lines 4, 8 and 21.

- (3) The training requirements in new section 302A-1164(h), on page 11, line 14 through page 12, line 3, do not align with the training requirements currently set forth in section 302A-1164(g), and that may cause confusion. Subsection (g) states that any employee or agent who volunteers to administer insulin or glucagon in an emergency situation shall receive instruction in the proper administration of insulin, glucagon, auto-injectable epinephrine, or blood glucose monitoring by a "qualified health care professional," which is defined as a "licensed physician, physician assistant, advanced practice registered nurse or registered nurse, or certified diabetes educator." New subsection (h) states that an employee or agent who volunteers to administer a bronchodilator in an emergency situation shall receive instruction in the proper administration of bronchodilators and use of spacers by a "qualified health care professional," but then states that training shall be provided by a "school nurse, certified emergency responder, other health care professional, or appropriate online training." (Page 12, lines 1-3.) We suggest revising page 12, lines 1-3 to state:

emergency responder. [~~Training shall be provided by a school nurse, certified emergency responder, other health care professional, or appropriate online training.~~] A "qualified health care professional" means a licensed physician, physician assistant, advanced practice registered nurse or registered nurse.

Thank you for the opportunity to provide comments on this measure.



## HIPHI Board

Misty Pacheco, DrPH  
Chair  
University of Hawai'i at Hilo

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Native Hawaiian Research Office

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Carissa Holley, MEd  
Hale Makua Health Services

Dina Shek, JD  
Medical-Legal Partnership  
For Children in Hawai'i

Garret Sugai  
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Kathleen Roche, MS, RN, CENP  
Kaiser Permanente

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John A. Burns School of Medicine,  
Department of Pediatrics

Titiimaea Ta'ase, JD  
State of Hawai'i, Deputy Public  
Defender

## HIPHI Initiatives

Coalition for a  
Tobacco-Free Hawai'i

Community Health  
Worker Initiative

COVID-19 Response

Hawai'i Drug & Alcohol Free  
Coalitions

Hawai'i Farm to School Hui

Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Collective

Date: February 11, 2023

To: Senator Michelle N. Kidani, Chair  
Senator Donna Mercado Kim, Vice Chair  
Members of the Committee on Education

Senator Joy A. San Buenaventura, Chair  
Senator Henry J.C. Aquino, Vice-Chair  
Members of the Committee on Health & Human Services

Re: Support for SB 1443, Relating to Asthma

Hrg: Monday, February 13, 2023

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Hawai'i Public Health Institute<sup>i</sup> (HIPHI) is in **support of SB 1443**, which allows schools in Hawaii to provide more immediate access to medications for students with asthma or who are suffering from respiratory distress.

### Our youth suffer from asthma.

Hawai'i Public Health Institute (HIPHI) appreciates the opportunity to provide SUPPORT for **SB 1443**. This measure will help to keep our children who suffer from asthma safe in schools and may prove potentially lifesaving.

Asthma impacts millions of lives and tremendously affects our nation's healthcare system and economy. In the US, over 25 million Americans, including 5.1 million children, have asthma.<sup>ii</sup> In Hawaii, 21,411 children have asthma<sup>iii</sup>, which can be made worse due to our environmental factors, such as cockroaches, vog, and allergies.

An asthma episode can be brought on at any moment and can often quickly escalate. Short-acting bronchodilators, often referred to as "inhalers," are inexpensive, extremely safe, and most importantly, easy to use. This medication will save a person's life by quickly opening up the lungs' passages and enabling oxygen to flow freely.

There are many reasons that children do not always have access to an "inhaler". Sometimes kids forget it, leave it in a classroom or locker, or simply can't afford the medication. Once the attack begins, it can quickly escalate, and if the inhaler is inaccessible or can't be found, the child can go into respiratory distress. An ambulance must be called, which leads to

expensive transport costs and an emergency department visit costing thousands more. Such events also take children out of the classroom for days at a time and further impede their learning.

By stocking schools with low-cost bronchodilators and inexpensive disposable spacers, students can quickly receive lifesaving medication. At the first sign of an asthmatic episode, a trained school representative will be able to help administer this rescue medication.

All students should have rapid access to this medication. The medication is proven safe and effective. More importantly, it is a way to ensure that we keep all of our keiki safe and healthy.

Thank you for considering sB 144s, a measure that puts the health of our keiki first.

Mahalo,

A handwritten signature in black ink that reads "Peggy Mierzwa". The signature is written in a cursive style and is positioned above the typed name.

Peggy Mierzwa  
Advocacy & Policy Director  
Hawai'i Public Health Institute

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<sup>i</sup> Hawai'i Public Health Institute is a hub for building healthy communities, providing issue-based advocacy, education, and technical assistance through partnerships with government, academia, foundations, business, and community-based organizations..

<sup>ii</sup> CDC. 2019 National Health Interview Survey.

<sup>iii</sup> CDC. 2019 Behavioral Risk Factor Surveillance System.



**UNIVERSITY OF HAWAII SYSTEM**

**‘ŌNAEHANA KULANUI O HAWAII**

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

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Testimony Presented Before the  
Senate Committees on Education and  
Health & Human Services  
Monday, February 13, 2023 at 3:45 p.m.

By

Lee Buenconsejo-Lum, Acting Dean  
John A. Burns School of Medicine

And

Michael Bruno, Provost  
University of Hawai'i at Mānoa

SB 1443 – RELATING TO ASTHMA

Chairs Kidani and San Buenaventura, Vice Chairs Kim and Aquino, and Members of the Committees:

Thank you for the opportunity to provide testimony in SUPPORT of SB 1443 which authorizes the Department of Education (DOE) to stock bronchodilators for emergency use during respiratory distress. The bill further authorizes DOE employees to volunteer to administer bronchodilators.

Provided the proper training and procedures are in place, this measure would allow for improved care and, ultimately, improved learning for asthmatic children. Asthma is more common in certain populations, including Native Hawaiians and Filipinos. Asthma prevalence is also higher in certain communities - many of these communities are also challenged with lower educational attainment (for a large variety of social determinants).

Having albuterol accessible in the schools, as part of a comprehensive asthma management plan done in conjunction with their health care provider, will help keep children affected by asthma in school. Ideally, the communication protocols should include communication back to the primary care provider that a child needed a rescue inhaler. The parental notification regarding the emergency use of a bronchodilator may include a statement encouraging the parent to notify the child's primary care provider, to ensure timely evaluation and any adjustment to the child's asthma action plan and/or therapy.

Thank you for the opportunity to provide testimony on this bill.



## Hawaii Medical Association

1360 South Beretania Street, Suite 200 • Honolulu, Hawaii 96814  
Phone: 808.536.7702 • Fax: 808.528.2376 • hawaiimedicalassociation.org

### SENATE COMMITTEE ON EDUCATION

Senator Michelle N. Kidani, Chair  
Senator Donna Mercado Kim, Vice Chair

### SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair  
Senator Henry J.C. Aquino, Vice Chair

Date: February 13, 2023

From: Hawaii Medical Association

Beth England MD, Co-Chair, HMA Public Policy Committee

### Re: **SB 1443 RELATING TO ASTHMA.**

### Position: **Support**

The purpose of this measure is to authorize the Hawaii Department of Education to stock bronchodilators for emergency use during respiratory distress and authorize department employees to volunteer to administer bronchodilators.

Asthma is a serious chronic lung disease that affects approximately 104,000 adults and 30,000 children in Hawaii. During an asthma episode or attack, the patient needs immediate access to a rescue bronchodilator inhaler. These bronchodilator medications are safe, highly effective, and inexpensive. HMA supports onsite access of rescue inhalers at schools as well as development of an education training protocol for designated authorized school staff.

Thank you for allowing the Hawaii Medical Association to testify in support of this measure.

#### References and Quick Links:

CDC Healthy Schools – Asthma. Center for Disease Control and Prevention accessed 2/1/2023.

Asthma Trends and Burden. American Lung Association accessed 2/1/2023.

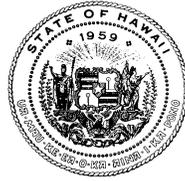
Feldman WB, Avorn J, Kesselheim AS. Switching to Over-the-Counter Availability of Rescue Inhalers for Asthma. JAMA. 2022;327(11):1021–1022. doi:10.1001/jama.2022.1160

#### 2023 Hawaii Medical Association Officers

Angela M. Pratt, MD, President • Elizabeth Ann Ignacio, MD, President Elect • Michael Champion, MD, Immediate Past President  
Nadine Tenn-Salle, MD, Treasurer • Thomas Kosasa, MD, Secretary • Marc Alexander, Executive Director

#### 2023 Hawaii Medical Association Public Policy Coordination Team

Elizabeth Ann Ignacio, MD, Chair • Beth England, MD, Co-Chair  
Linda Rosehill, JD, Government Relations • Marc Alexander, Executive Director



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
P.O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

WRITTEN TESTIMONY ONLY

**Testimony COMMENTING on S.B. 1443  
RELATING TO ASTHMA**

SENATOR MICHELLE N. KIDANI, CHAIR  
SENATE COMMITTEE ON EDUCATION

SENATOR JOY A. SAN BUENAVENTURA, CHAIR  
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Hearing Date: February 13, 2023

Room Number: Conference Room 229  
& Videoconference

1 **Fiscal Implications:** The Department of Health (DOH) defers to the Department of Education  
2 (DOE) on potential fiscal implications of the proposed protocols for schools.

3 **Department Testimony:** The DOH offers comments on Senate Bill 1443 (S.B. 1443), which  
4 authorizes the DOE to stock bronchodilators for emergency use during respiratory distress;  
5 authorizes protocols for a school nurse or other authorized employees and agents to volunteer to  
6 administer bronchodilators as needed for actual or perceived asthma episodes; and clarifies that  
7 bronchodilators are permitted for student self-administration. The DOH concurs that schools are  
8 where children spend most of their days, making them an important setting for asthma  
9 management interventions.

10 According to 2020 data from the Hawaii Behavioral Risk Factor Surveillance System,  
11 one in thirteen children in Hawaii currently have asthma.<sup>1</sup> Any child, whether or not they have a  
12 known asthma diagnosis, could experience an asthma exacerbation at school and require urgent

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<sup>1</sup> Hawaii State Department of Health, Hawaii Health Data Warehouse. Behavioral Risk Factor Surveillance System. (2020). <http://hhdw.org>. Accessed on February 1, 2023.

1 medical attention.<sup>2</sup> Allowing schools to stock bronchodilators and train school employees in  
2 proper administration is the recommended policy to improve access to quick-relief life-saving  
3 medication for any child.<sup>2</sup>

4 S.B. 1443 aligns with the Hawaii Asthma Plan 2030 objectives to expand asthma self-  
5 management education in schools.<sup>3</sup>

6 Thank you for the opportunity to testify.

7 **Offered Amendments:** None

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<sup>2</sup> Volerman A, Lowe AA, Pappalardo AA, Anderson CMC, Blake KV, Bryant-Stephens T, Carr T, Carter H, Cicutto L, Gerald JK, Miller T, Moore NS, Phan H, Sadreameli SC, Tanner A, Winders TA, Gerald LB. Ensuring Access to Albuterol in Schools: From Policy to Implementation. An Official ATS/AANMA/ALA/NASN Policy Statement. *Am J Respir Crit Care Med*. 2021 Sep 1;204(5):508-522. doi: 10.1164/rccm.202106-1550ST. PMID: 34499024; PMCID: PMC8491259.

<sup>3</sup> State of Hawaii Department of Health. (2022). *Hawai'i Asthma Plan 2030*. Asthma – Chronic Disease Prevention & Health Promotion Division | Hawai'i Asthma Plan 2030. [https://hhsp.hawaii.gov/assets/pdf/HHSP\\_Asthma\\_Plan\\_WEB.pdf](https://hhsp.hawaii.gov/assets/pdf/HHSP_Asthma_Plan_WEB.pdf). Accessed on January 31, 2023.



*Hawai'i Children's Action Network Speaks! is a nonpartisan 501c4 nonprofit committed to advocating for children and their families. Our core issues are safety, health, and education.*

To: Senate Committees on Education and on Health and Human Services

Re: **SB 1443 - Relating to Asthma**  
Hawai'i State Capitol and Videoconference  
February 13, 2023, 3:45 PM

Dear Chairs Kidani and San Buenaventura, Vice Chairs Kim and Aquino, and Committee Members,

On behalf of HCAN Speaks!, I am writing **in SUPPORT of SB 1443, relating to asthma**. This bill authorizes the department of education to stock bronchodilators for emergency use during respiratory distress and authorizes department employees to volunteer to administer bronchodilators.

**HCAN Speaks! Board  
of Directors**

Liza Ryan Gill  
*President*

Nick Kacprowski, J.D.  
*Treasurer*

Mandy Fernandes  
*Secretary*

Teri Keliipuleole  
Jasmine Slovak  
Erica Yamauchi

According to the Centers for Disease Control and Prevention, in a classroom of 30 children, on average about 3 are likely to have asthma.<sup>1</sup> In Hawai'i, there are disparities in asthma prevalence: Native Hawaiians are disproportionately affected by asthma and experience the greatest burden, with the highest prevalence of 28.3%.<sup>2</sup>

Asthma attacks can strike at any time, including at school, and often without warning. These episodes may result in hospitalization, and can even be fatal. Quick-relief bronchodilators are a safe and effective treatment for asthma. Ensuring access to rescue medication is part of guidelines-based response to asthma emergencies.<sup>3</sup>

Best practices recommend that schools be allowed to stock this lifesaving medication and have trained adults ready to administer it in an emergency. Seventeen states have laws or policies allowing schools to stock quick-relief medications for students with asthma. Hawai'i should join them.<sup>4</sup>

Please pass this bill. It could save the lives of keiki with asthma.

Thank you,

Nicole Woo  
Director of Research and Economic Policy

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<sup>1</sup> <https://www.cdc.gov/healthyschools/asthma/index.htm>

<sup>2</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC8296946/>

<sup>3</sup> [https://www.nhlbi.nih.gov/files/docs/resources/lung/NACI\\_ManagingAsthma-508%20FINAL.pdf](https://www.nhlbi.nih.gov/files/docs/resources/lung/NACI_ManagingAsthma-508%20FINAL.pdf)

<sup>4</sup> <https://www.lung.org/lung-health-diseases/lung-disease-lookup/asthma/health-professionals-educators/asthma-in-schools/asthma-medication-in-schools>



February 21, 2023

To: Senator Joy A. San Buenaventura, Chair  
Senator Henry J.C. Aquino, Vice Chair  
Senate Committee on Health and Human Services

Senator Michelle N. Kidani, Chair  
Senator Donna Mercado Kim, Vice Chair  
Senate Committee on Education

Re: Testimony in Support of SB1443, Relating to Astham

Hrg: 13 Feb 2023, 3:45PM, Conference room 229 & Videoconference

The Hawai'i Public Health Association (HPHA) is a group of over 450 community members, public health professionals, and organizations statewide dedicated to improving public health. Our mission is to promote public health in Hawai'i through leadership, collaboration, education and advocacy. Additionally, HPHA aims to call attention to issues around social justice and equity in areas that extend beyond the traditional context of health (e.g., education, digital equity, cultural sensitivity), which can have profound impacts on health equity and well-being. Therefore, as stewards of public health, HPHA is also advocating for equity in all policies.

**We strongly support SB1443**, which will authorize the Department of Education to stock short-acting bronchodilators (rescue inhalers) for emergency use during an acute asthma attack and authorize department employees to volunteer to administer bronchodilators. Asthma impacts millions of lives and has a tremendous impact on our nation's healthcare system and economy. In the U.S., over 25 million Americans, including 5.1 million children have asthma.<sup>1</sup> In Hawaii, 21,411 children have asthma<sup>2</sup>, which can be made worse due to our environmental factors, such as cockroaches, vog, and allergies.

Because asthma attacks can occur anytime and often without warning, children with asthma should always have access to medication that can quickly reverse the blockages in their lungs. This life-saving medication, called a short-acting bronchodilator, is easy to administer, inexpensive, and very safe. When children do not have asthma medication, which can occur for a variety of reasons such as forgetting it or not being able to afford it, schools have few options. A delay during the administration of bronchodilators usually results in an asthma attack worsening and, in such cases, the school must call 911.

These adverse events are largely avoidable with a simple low-cost solution: stock medication or inhalers. According to the American Lung Association, one study demonstrated that 84% of students returned to the classroom after an asthma event when provided a stock inhaler. Schools can use a single inhaler containing a short-acting bronchodilator along with inexpensive disposable spacers that can be used for anyone who experiences the sudden onset of cough, shortness-of-breath, and chest tightness that signals an asthma attack.

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1 CDC. 2019 National Health Interview Survey.

2 CDC. 2019 Behavioral Risk Factor Surveillance System.



**Additionally, it is critical as outlined in the proposed legislation that school staff other than school nurses are trained in the signs and symptoms of asthma and when it is appropriate to administer the rescue medications.** Unfortunately, in Hawaii there is not a school nurse present in every school. Because of the safety of bronchodilators and the life-threatening implications of an asthma attack, it is vital that we train other staff to assess, access and administer the required medication that would potentially save a student's life. **SB1443 also provides important liability protection for the prescriber, the school and the person who administers the medication in good faith.** As previously mentioned, the medication used for treatment of asthma attacks is safe and effective.

We strongly support SB1443 and respectfully ask that you pass this measure to ensure that our keiki with asthma have access to life saving rescue inhalers and staff who is prepared to provide the required medication.

Thank you for the opportunity to provide testimony on this important public health issue affecting youth in our communities.

Respectfully submitted,

Holly Kessler  
Executive Director



# ALOHACARE

To: The Honorable Michelle N. Kidani, Chair  
The Honorable Donna Mercado Kim, Vice-Chair  
Senate Committee on Education

The Honorable Joy A. San Buenaventura, Chair  
The Honorable Henry J.C. Aquino, Vice-Chair  
Senate Committee on Health and Human Services

From: Paula Arcena, External Affairs Vice President  
Mike Nguyen, Public Policy Manager

Hearing: Monday, February 13, 2023, 3:45 PM

RE: **SB1443 Relating to Asthma -Support**

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AlohaCare appreciates the opportunity to provide testimony in **support of SB1443**. This measure will authorize the Department of Education to stock bronchodilators for emergency use during respiratory distress and authorize department employees to volunteer to administer bronchodilators.

Founded in 1994 by Hawai'i's community health centers, AlohaCare is a community-rooted, non-profit health plan serving over 80,000 Medicaid and dual-eligible health plan members on all islands. Approximately half of our membership are keiki. We are Hawai'i's only health plan exclusively dedicated to serving Medicaid beneficiaries. Our mission is to serve individuals and communities in the true spirit of aloha by ensuring and advocating for access to quality health care for all. We believe that health is about supporting whole-person care.

Asthma impacts millions of lives and has a tremendous impact on our nation's healthcare system and economy. In the U.S., over 25 million Americans, including 5.1 million children have asthma.<sup>i</sup> In Hawaii, 21,411 children have asthma<sup>ii</sup>, which can be made worse due to our environmental factors, such as cockroaches, vog, and allergies.

Because asthma attacks can occur anytime and often without warning, children with asthma should always have access to medication that can quickly reverse the blockages in their lungs. This life-saving medication, called a short-acting bronchodilator, is easy to administer, inexpensive, and very safe.

It is critical as outlined in the proposed legislation that school staff other than Keiki nurses are trained in the signs and symptoms of asthma and when it is appropriate to administer the rescue medications. Unfortunately, every school in Hawaii does not a keiki school nurse present. However, because of the safety of the medication used and the life-threatening implications of an asthma attack, it is imperative that we train other staff to assess, access and administer the required medication that would potentially save a student's life.

Mahalo for this opportunity to testify in **support of SB1443**.

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<sup>i</sup> CDC. 2019 National Health Interview Survey.

<sup>ii</sup> CDC. 2019 Behavioral Risk Factor Surveillance System.

**SENATE COMMITTEES ON EDUCATION & HEALTH AND HUMAN SERVICES**

**Senator Michelle Kidani and Joy San Buenaventura, Chairs**

**Senators Donna Mercado Kim and Henry JC Aquino Vice Chairs**

**Monday, February 13, 2023 @3:45 in Conference Room 229**

**Testimony in Strong Support of Senate Bill 1443 Relating to Asthma**

Dear Chairpersons Kidani and San Buenaventura, Vice Chairs Kim and Aquino, and Members of the Committees:

Thank you for the opportunity to provide testimony in **STRONG SUPPORT on Senate Bill 1443** relating to asthma. I strongly support this bill as it will allow schools in Hawaii to provide more immediate access to medications for students with asthma or suffering from respiratory distress. Asthma can be a deadly disease if flare-ups are not treated immediately. This bill has the potential to save lives and keep kids safe in schools.

I, my husband and both our children as well as several other relatives have had asthma all our lives and know first-hand how important it is for patients who are suffering from acute and severe shortness of breath to get the prompt and effective relief they need so they can continue to function and carry on with life. We have all used albuterol safely as needed all our lives to keep our lung function under proper control. In Hawaii, 21,411 children have asthma<sup>1</sup>, which can be made worse due to exercise as well as our environmental factors, such as cockroaches, VOG, and allergies.

Because asthma attacks can occur anytime and often without warning, children with asthma should always have access to medication that can quickly reverse the blockages in their lungs. This life-saving medication, called a short-acting bronchodilator, is easy to administer, inexpensive, and very safe.

Unfortunately, when children do not have asthma medication, which can occur for a variety of reasons such as forgetting it or not being able to afford it, schools have few options. A parent may not be immediately accessible or close enough to respond promptly. Even if they can, there is a delay during which the asthma attack often gets worse. In such cases, the school must call 911. Doing so is likely to lead to an ambulance transport cost and an emergency department visit costing thousands more. Such events also take children out of the classroom for days at a time and further impede their learning.

These adverse events are largely avoidable with a simple low-cost solution: stock medication or inhalers. Schools can use a single inhaler containing a short-acting bronchodilator along with inexpensive disposable spacers that can be used for anyone who experiences the sudden onset of cough, shortness-of-breath, and chest tightness that signals an asthma attack.

It is critical as outlined in the proposed legislation that school staff other than Keiki nurses are trained in the signs and symptoms of asthma and when it is appropriate to administer the rescue medications. Unfortunately, in Hawaii there is not a keiki school nurse present in every school. However, because of the safety of the medication used and the life-threatening implications of an asthma attack, it is imperative that we train other staff to assess, access and administer the required medication that would potentially save a student's life.

Senate Bill 1443 also provides important liability protection for the prescriber, the school and the person who administers the medication in good faith. As mentioned before the medication used for treatment of asthma attacks is safe and effective. **Vote in favor of SB1443 and allow it to become law for the protection of our keiki and Hawaii.**

Sincerely,

*Valerie Chang*

Valerie Chang, Honolulu parent  
starion06@yahoo.com

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**SB-1443**

Submitted on: 2/12/2023 12:00:52 PM

Testimony for EDU on 2/13/2023 3:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Susan Pcola_Davis	Individual	Support	Written Testimony Only

Comments:

The health and safety are first and foremost for our keiki.

TO: Senate Committee on Education  
Senator Michelle N. Kidani, Chair  
Senator Donna Mercado Kim, Vice Chair

Senate Committee on Health and Human Services  
Senator Joy A. San Buenaventura, Chair  
Senator Henry J.C. Aquino, Vice Chair

DATE: Monday, February 13, 2023  
TIME: 3:45 PM  
PLACE: Conference Room 229 & Videoconference

### **TESTIMONY IN SUPPORT OF SB 1443, RELATING TO ASTHMA**

Dear Chair Kidani, Vice Chair Mercado Kim, Chair San Buenaventura, Vice Chair Aquino and Members of the Committees,

My name is Cynthia J. Goto, and I am writing to express my support for Senate Bill 1443, relating to asthma. This bill will allow schools in Hawaii to provide more immediate access to medications for students with asthma or suffering from respiratory distress.

Asthma is one of the most common chronic childhood diseases in Hawaii. In Hawaii, 21,411 children have asthma<sup>1</sup>, and this bill has the potential to save lives and keep kids safe at school.

According to the Centers for Disease Control and Prevention (CDC), on average, in a classroom of 30 children, about 3 are likely to have asthma. Low-income populations, Native Hawaiians, and children living near traffic intersections experience more emergency department visits, hospitalizations, and deaths due to asthma than the general population.

Because asthma attacks can occur anytime and often without warning, children with asthma should always have access to medication that can quickly reverse the blockages in their lungs. This life-saving medication, called a short-acting bronchodilator, is easy to administer, inexpensive, and very safe.

Unfortunately, when children do not have asthma medication, which can occur for a variety of reasons such as forgetting it or not being able to afford it, schools have few options. A parent may not be immediately accessible or close enough to respond promptly. Even if they can, there is a delay during which the asthma attack often gets worse. In such cases, the school must call 911. Doing so is likely to lead to an ambulance transport cost and an emergency department visit costing thousands more. Such events also take children out of the classroom for days at a time and further impede their learning.

These adverse events are largely avoidable with a simple low-cost solution: stock medication or inhalers. Schools can use a single inhaler containing a short-acting bronchodilator along with

inexpensive disposable spacers that can be used for anyone who experiences the sudden onset of cough, shortness-of-breath, and chest tightness that signals an asthma attack.

Please support Senate Bill 1443 to ensure that our children with asthma have access to safe and effective medication which could potentially save a student's life.

Thank you for the opportunity to testify.

Cynthia J. Goto

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<sup>1</sup> CDC. 2019 National Health Interview Survey.

**SB-1443**

Submitted on: 2/11/2023 8:30:26 AM

Testimony for EDU on 2/13/2023 3:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Testify</b>
Erica Yamauchi	Individual	Support	Written Testimony Only

Comments:

COMMITTEE ON EDUCATION

Senator Michelle N. Kindani, Chair

COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair

Monday, February 13, 2023 – 3:45 p.m., Conference Room 229

Testimony in Support of Senate Bill 1443 Relating to Asthma

Chairs Kidani and San Buenaventura, and Members of the Committees:

Thank you for the opportunity to provide comments on Senate Bill 1443 relating to asthma. I strongly support this bill as it will allow schools in Hawaii to provide more immediate access to medications for students with asthma or suffering from respiratory distress. Asthma can be a deadly disease if flare-ups are not treated immediately. This bill has the potential to save lives and keep kids safe in schools.

Asthma impacts millions of lives and has a tremendous impact on our nation’s healthcare system and economy. In the U.S., over 25 million Americans, including 5.1 million children have asthma. In Hawaii, 7.7% of children have asthma, which is higher than the national average. That’s over 20,000 children, which can be made worse by our unique local environmental factors, such as cockroaches, vog, and other various allergy triggers.

Because asthma attacks can occur anytime and often without warning, children with asthma should always have access to medication that can quickly reverse the blockages in their lungs. This life-saving medication, called a short-acting bronchodilator, is easy to administer, inexpensive, and very safe.

Unfortunately, when children do not have asthma medication, which can occur for a variety of reasons such as forgetting it or not being able to afford it, schools have few options. A parent may not be immediately accessible or close enough to respond promptly. Even if they can, there is a delay during which the asthma attack often gets worse. In such cases, the school must call

911. Doing so is likely to lead to an ambulance transport cost and an emergency department visit costing thousands more. Such events also take children out of the classroom for days at a time and further impede their learning.

These adverse events are largely avoidable with a simple low-cost solution: stock medication or inhalers. Schools can use a single inhaler containing a short-acting bronchodilator along with inexpensive disposable spacers that can be used for anyone who experiences the sudden onset of cough, shortness-of-breath, and chest tightness that signals an asthma attack.

It is critical as outlined in the proposed legislation that school staff other than Keiki nurses are trained in the signs and symptoms of asthma and when it is appropriate to administer the rescue medications. Unfortunately, in Hawaii there is not a keiki school nurse present in every school. However, because of the safety of the medication used and the life-threatening implications of an asthma attack, it is imperative that we train other staff to assess, access and administer the required medication that would potentially save a student's life.

Senate Bill 1443 also provides important liability protection for the prescriber, the school and the person who administers the medication in good faith. As mentioned before, the medication used for treatment of asthma attacks is safe and effective and should be used for anyone experiencing respiratory distress.

Erica Yamauchi, Kaimukī/Wilhelmina Rise

**COMMITTEE ON EDUCATION**

**Senator Michelle N. Kindani, Chair**

**COMMITTEE ON HEALTH AND HUMAN SERVICES**

**Senator Joy A. San Buenaventura, Chair**

**Thursday, February 13, 2023 – 3:45pm Conference Room 229**

**Testimony in Support of Senate Bill 1443 Relating to Asthma**

Chairpersons Kidani and San Buenaventura and Members of the Committees:

Thank you for the opportunity to provide comments on Senate Bill 1443 relating to asthma. I strongly support this bill as it will allow schools in Hawaii to provide more immediate access to medications for students with asthma or suffering from respiratory distress. Asthma can be a deadly disease if flare-ups are not treated immediately. This bill has the potential to save lives and keep kids safe in schools.

Asthma impacts millions of lives and has a tremendous impact on our nation's healthcare system and economy. In the U.S., over 25 million Americans, including 5.1 million children have asthma.<sup>1</sup> In Hawaii, 7.7% of children have asthma, which is higher than the national average.<sup>2</sup> That's over 20,000 children, which can be made worse by our unique local environmental factors, such as cockroaches, VOG, and the various allergy triggers.

Because asthma attacks can occur anytime and often without warning, children with asthma should always have access to medication that can quickly reverse the blockages in their lungs. This life-saving medication, called a short-acting bronchodilator, is easy to administer, inexpensive, and very safe.

Unfortunately, when children do not have asthma medication, which can occur for a variety of reasons such as forgetting it or not being able to afford it, schools have few options. A parent may not be immediately accessible or close enough to respond promptly. Even if they can, there is a delay during which the asthma attack often gets worse. In such cases, the school must call 911. Doing so is likely to lead to an ambulance transport cost and an emergency department visit costing thousands more. Such events also take children out of the classroom for days at a time and further impede their learning.

These adverse events are largely avoidable with a simple low-cost solution: stock medication or inhalers. Schools can use a single inhaler containing a short-acting bronchodilator along with inexpensive disposable spacers that can be used for anyone who experiences the sudden onset of cough, shortness-of-breath, and chest tightness that signals an asthma attack.

It is critical as outlined in the proposed legislation that school staff other than Keiki nurses are trained in the signs and symptoms of asthma and when it is appropriate to administer the rescue medications. Unfortunately, in Hawaii there is not a keiki school nurse present in every school. However, because of the safety of the medication used and the life-threatening implications of an asthma attack, it is imperative that we train other staff to assess, access and administer the required medication that would potentially save a student's life.

Senate Bill 1443 also provides important liability protection for the prescriber, the school and the person who administers the medication in good faith. As mentioned before, the medication used for treatment of asthma attacks is safe and effective and should be used for anyone experiencing respiratory distress.

Sincerely,  
Troy Siruno  
Honolulu, HI  
tsiruno@gmail.com

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<sup>1</sup> CDC. 2019 National Health Interview Survey.

<sup>2</sup> CDC. 2020 Behavioral Risk Factor Surveillance System.