Honolulu, Hawaii

APR 0 1 ' 2024

RE: S.B. No. 2529

S.D. 1 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirty-Second State Legislature Regular Session of 2024 State of Hawaii

Sir:

Your Committees on Consumer Protection & Commerce and Judiciary & Hawaiian Affairs, to which was referred S.B. No. 2529, S.D. 1, entitled:

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

beg leave to report as follows:

The purpose of this measure is to amend the definition of "patient's provider" to allow licensed physicians, physician assistants, and advanced practice registered nurses to sign Provider Orders for Life-Sustaining Treatment for their patients without a face-to-face encounter.

Your Committees received testimony in support of this measure from the Department of Health; State Health Planning and Development Agency; Healthcare Association of Hawaii; Kōkua Mau; Hawaii Care Choices; AlohaCare; Hawaii Medical Service Association; Hawaii Association of Health Plans; Kaiser Permanente Hawaii; and nine individuals.

Your Committees find that a Provider Orders for Life-Sustaining Treatment (POLST) form is a portable medical order that documents a patient's choices for treatment near the end of life. POLST forms are universally recognized by first responders and



professional health care caregivers throughout the State and are used in many health care settings, including hospitals, skilled nursing facilities, adult residential care homes, expanded adult residential care homes, community care foster family homes, hospices, and other settings.

Your Committees further find that existing law may be construed to require a face-to-face encounter with a patient. This is especially challenging for persons in hospice care, in which face-to-face encounters are not required under Medicare regulations unless the patient has been in hospice care for at least six months. This measure provides persons with greater flexibility to create or amend their POLST forms by repealing language that may be construed to require a face-to-face encounter between the patient's provider and the patient.

Your Committees have amended this measure by:

- (1) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Consumer Protection & Commerce and Judiciary & Hawaiian Affairs that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2529, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 2529, S.D. 1, H.D. 1.

Respectfully submitted on behalf of the members of the Committees on Consumer Protection & Commerce and Judiciary & Hawaiian Affairs,

DAVID A. TARNAS, Chair

MARK M NAKASHIMA Chair

2024-2615 SB2529 HD1 HSCR HMSO

State of Hawaii House of Representatives The Thirty-second Legislature

HSCR 1589-24

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: SB2529 SD1	Committee Referral: HLT, CPC/JHA			Date: 3/21/2024			
☐ 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)							
CPC Members		Ayes	Ayes (W	R) Nays	Excused		
1. NAKASHIMA, Mark M. (C)					/		
新兴全部的基础的企业,对于1000000000000000000000000000000000000	2502 622						
2. SAYAMA, Jackson D. (VC)		100,000,000,000,000	Musician de		f film and the transfer of the		
3. AMATO, Terez							
	MASSARAN						
4. BELATTI, Della Au							
5. HASHEM, Mark J.			The state of the state of the	STATE	T HARDS SPECIAL SPECIA		
6. HUSSEY-BURDICK, Natalia					200000000000000000000000000000000000000		
THE STATE OF THE S	AL SHARE		TO THE WAY				
7. GATES, Cedric Asuega				The state of the s			
我是我可能! 计图图 医胆囊结肠							
8. LOWEN, Nicole E.	errennen in der eine der			SAME OF SAME PARTY OF THE PARTY			
9. ONISHI, Richard H.K.	PART TO SERVICE				A SAGE SERVE		
o. Oligin, Richard II.X.	50000						
10. TAM, Adrian K.				CONTRACT DE PUBLICA DE 18 MAI			
建设产品的数据的数据的							
11. PIERICK, Elijah	_						
TOTAL (11)			0		3		
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							

State of Hawaii House of Representatives The Thirty-second Legislature

HSCR 1589-24

Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: SB 2529 SD1 Committee	Committee Referral: HLT, CPC/JHA Date: 3-21-24						
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)							
JHA Members	Ayes	Ayes (WR)	Nays	Excused			
1. TARNAS, David A. (C)							
2. TAKAYAMA, Gregg (VC)							
3. EVSLIN, Luke A.							
4. GANADEN, Sonny	/						
5 HOLT Don't		STATE OF LAW	N. S. C. S. C. S.				
5. HOLT, Daniel		Conversion of the Conversion o		OLD RESIDEN			
6. ICHIYAMA, Linda							
		U.S. CONTROL OF					
7. ILAGAN, Greggor				Discourse matters to business			
8. KONG, Sam Satoru							
o. KONG, Sam Satoru		No. of Street, Street, or other party of					
9. MIYAKE, Tyson K.		OLAS CONTROL OF THE PARTY.					
				国际国际			
10. SOUZA, Kanani							
			_				
TOTAL (10)	9		_				
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							