

# S.B. NO. 1431

JAN 23 2025

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## A BILL FOR AN ACT

RELATING TO VIRAL HEPATITIS.

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

1           SECTION 1. The legislature finds that the department of  
2 health reports that hepatitis B and C viral infections are  
3 associated with earlier deaths and higher death rates in Hawaii.  
4 Each year from 2000 to 2020, mortality rates associated with  
5 hepatitis B were higher in Hawaii compared to the entire United  
6 States, with three times higher death rates in 2019 alone.  
7 These death rates were notably higher among Asian and Pacific  
8 Islander residents compared to the rest of the state.  
9 Furthermore, from 2018-2021, most residents with hepatitis C  
10 (eighty-eight per cent) died before reaching average life  
11 expectancy for the rest of the state. These deaths continue to  
12 occur in Hawaii despite the availability of effective tools to  
13 prevent, treat, and even cure these infections. To address the  
14 burden of viral hepatitis in Hawaii, the department of health  
15 has successfully leveraged community and state partnerships to  
16 convene the "Hep Free 2030: The Hawai'i Hepatitis Elimination  
17 Strategy 2020-2030." The coalition has made progress towards

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1 eliminating viral hepatitis by focusing on five priority areas:  
2 awareness and education; access to services; advocacy at all  
3 levels; equity in everything; and data for decision-making. In  
4 2021, the legislature adopted House Concurrent Resolution No.  
5 59, H.D. 1, which found that continued coordination and ongoing  
6 efforts are needed to further implement the statewide strategy  
7 to eliminate viral hepatitis types A, B, and C in Hawaii.  
8 However, there has been no state funding dedicated to the  
9 prevention, management, and treatment of viral hepatitis  
10 infections.

11 Accordingly, the purpose of this Act is to expand the  
12 state's capacity to address preventable morbidity and mortality  
13 from viral hepatitis among Hawaii residents through established  
14 and innovative public health interventions.

15 SECTION 2. Chapter 325, Hawaii Revised Statutes, is  
16 amended by adding to part V four new sections to be  
17 appropriately designated and to read as follows:

18 "§325- Definitions. As used in this part:

19 "Department" means the department of health.

20 §325- Hepatitis prevention program. (a) The

21 department may establish and administer a hepatitis prevention

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1 program to prevent morbidity and mortality among Hawaii  
2 residents due to hepatitis B and hepatitis C.

3 (b) The hepatitis prevention program shall prioritize:

4 (1) Hepatitis awareness and education;

5 (2) Increasing access to services;

6 (3) Assuring health equity and addressing the social  
7 determinants of health as they relate to hepatitis;

8 and

9 (4) The collection, analysis, and reporting of relevant  
10 data to support hepatitis prevention and treatment.

11 §325- Awareness and education. The department shall  
12 develop and implement throughout the State an educational  
13 program for the purpose of informing the community how to  
14 identify and prevent hepatitis and aid in its early diagnosis.

15 In furtherance of the hepatitis prevention program, the  
16 department may assist and cooperate with any or all territorial,  
17 state, and national organizations conducting educational  
18 programs for the prevention and control of hepatitis.

19 §325- Prevention plan; screening; treatment support.

20 The department shall develop a statewide, comprehensive  
21 hepatitis prevention plan. The plan shall include hepatitis  
22 screening and services to support individuals with hepatitis to

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1 access care and treatment. The department may work with other  
2 government agencies, health care providers, health insurers, and  
3 community stakeholders to improve overall rates of screening,  
4 diagnosis, and treatment of hepatitis."

5 SECTION 3. Section 325-92, Hawaii Revised Statutes, is  
6 amended to read as follows:

7 "[+]§325-92[+] **Prenatal hepatitis B screening and**  
8 **treatment of newborns.** The department [~~of health~~] may adopt  
9 rules necessary to provide appropriate hepatitis B screening of  
10 pregnant women, including reporting and follow-up procedures for  
11 newborns of hepatitis B carrier mothers. [~~The department may~~  
12 ~~provide medications necessary for the treatment of newborns of~~  
13 ~~indigent and medically indigent carrier mothers.] "~~

14 SECTION 4. Section 325-91, Hawaii Revised Statutes, is  
15 repealed.

16 [~~§325-91 Blood transfusion; hepatitis.] In the~~  
17 ~~procuring, furnishing, donating, processing, distributing or~~  
18 ~~using of human whole blood, plasma, blood products or blood~~  
19 ~~derivatives for the purpose of injecting or transfusing in the~~  
20 ~~human body, there shall be no implied warranty that the blood,~~  
21 ~~plasma, products or derivatives are free from the virus of serum~~

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1 ~~hepatitis as long as there is no known scientific test to detect~~  
2 ~~the virus of serum hepatitis."]~~

3 SECTION 5. There is appropriated out of the general  
4 revenues of the State of Hawaii the sum of \$                    or so  
5 much thereof as may be necessary for fiscal year 2025-2026 and  
6 the same sum or so much thereof as may be necessary for fiscal  
7 year 2026-2027 for the establishment and implementation of the  
8 hepatitis prevention program, including the establishment of the  
9 following positions within the department of health:

- 10 (1) One full-time equivalent (1.0 FTE) program specialist  
11 V position;
  - 12 (2) One full-time equivalent (1.0 FTE) epidemiological  
13 specialist; and
  - 14 (3) One full-time equivalent (1.0 FTE) office assistant
- 15 III.

16 The sums appropriated shall be expended by the department  
17 of health for the purposes of this Act.

18 SECTION 6. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

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1 SECTION 7. This Act, upon its approval, shall take effect  
2 on July 1, 2025.

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INTRODUCED BY: 

5

BY REQUEST

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**Report Title:**

DOH; Viral Hepatitis; Prevention; Awareness; Education; Screenings; Treatment Support; Appropriation

**Description:**

Establishes and appropriates moneys for a hepatitis prevention program within the Department of Health. Repeals section 325-91, HRS.

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

JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO VIRAL HEPATITIS.

PURPOSE: To establish a hepatitis prevention program to address the burden of viral hepatitis in Hawaii.

MEANS: Add four new sections to part V of chapter 325, Hawaii Revised Statutes (HRS); amend section 325-92, HRS; and repeal section 325-91, HRS.

JUSTIFICATION: Hepatitis mortality rates are higher in Hawaii compared to the rest of the country, reaching three times as many deaths in 2019. Most of these deaths were among Asian and Pacific Islander residents, with many dying before reaching average life expectancy.

There has been no general funded program dedicated to viral hepatitis prevention and elimination. The proposed program is an extension of partnerships with community stakeholders and includes a statewide, comprehensive prevention plan to prevent morbidity and mortality among Hawaii residents caused by viral hepatitis.

Section 325-91, HRS, which declares that there is no implied warranty that blood and plasma products or their derivatives are free from viral hepatitis, is outdated due to modern health care practices.

Impact on the public: Reduced risk to acquire viral hepatitis.

Impact on the department and other agencies: The bill authorizes the Department to implement a viral hepatitis assessment, surveillance, and prevention program.

GENERAL FUND: \_\_\_\_\_.

OTHER FUNDS:               None.

PPBS PROGRAM  
DESIGNATION:               HTH 100.

OTHER AFFECTED  
AGENCIES:                 None.

EFFECTIVE DATE:           July 1, 2025.