STAND. COM. REP. NO. 3076

Honolulu, Hawaii

MAR 0 6 2026

RE: S.B. No. 3077
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 3077, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

(1) Adopt the Uniform Health Care Decisions Act (2023), as modified, to replace existing chapters related to advance health care directives and advance mental health care directives;

(2) Require the Attorney General to convene a working group; and

(3) Require a report to the Legislature.

Your Committee received testimony in support of this measure from the Department of the Attorney General, Department of Health, Aloha Independent Living Hawaii, Hawai'i Association of Professional Nurses, and two individuals.

Your Committee received testimony in opposition to this measure from the Hawaii Disability Rights Center, Hawaii Family Forum, Hawaii Catholic Conference, Hawai'i Care Choices, and seven individuals.

Your Committee received comments on this measure from the State Council on Developmental Disabilities, Hawai'i State Center for Nursing, Kaua'i Hospice, Kōkua Mau, Hawai'i Pacific Health, Kaiser Permanente Hawai'i, Hawaii Medical Association, Healthcare Association of Hawaii, and one individual.

Your Committee finds that chapters 327E and 327G, Hawaii Revised Statutes, provide separate legal frameworks for advance health care directives. Your Committee further finds that in 2023, the Uniform Law Commission approved and recommended for enactment in all states the Uniform Health-Care Decisions Act (2023). While existing state law addresses advance health care directives broadly, the Uniform Health-Care Decisions Act (2023) does so more comprehensively by dividing various types of advance directives into separate sections for power of attorney for health care, health care instructions, and advance mental health care directives. This measure reduces barriers to creating advance directives for both general health care and mental health by repealing chapters 327E and 327G, Hawaii Revised Statutes, and replacing them with a new, unified chapter based on the Uniform Health-Care Decisions Act (2023).

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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3077, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 3077, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,

KARL RHOADS, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 3077 SD1	WHS, JDC	3/5/26

☐ 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
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
TOTAL	4	—	1	—

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only <u>one</u> measure per Record of Votes

Revised: 01/02/26