

ACT 239

S.B. NO. 2356

A Bill for an Act Relating to An Emergency Response Trauma Program.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that recent catastrophic events, such as the airplane crash on Molokai, the airplane disintegration near Maui, the bus accident on Kapiolani Boulevard, and the New Year's flood in 1988, were accompanied by great trauma experienced by residents of this State. The impact of the loss of life, possessions, and the disruption of life patterns following a catastrophic event can be devastating to the victims, their families, and even the emergency service personnel who must deal with these events. During periods of extreme shock, families and communities turn to government for information and for direction in restoring order to their disrupted lives. When government is not prepared to respond promptly and appropriately in these situations, recovery from the trauma is delayed and residual problems are intensified.

The legislature finds that research data on trauma caused by catastrophic events and emergencies clearly show that efforts to provide psychological assistance to impacted citizens and emergency personnel significantly improve the restoration of personal and community functioning, and provide a more positive evaluation of government's ability to respond when needed. Within the last ten years, psychological research has expanded from the initial task of understanding the effects of major catastrophes on families and communities to the development of procedures to overcome these negative effects. Assistance characterized by immediacy and proximity has been proven effective in many states, including Hawaii; however, it is clear that the delivery of this service should be integrated into the state emergency system for prompt, coordinated response.

The purpose of this Act is to establish as a preventive activity within the department of health, a catastrophic and traumatic emergency response program that would provide psychological assistance to persons and communities affected by catastrophic or traumatic emergency events.

SECTION 2. In accordance with Section 9 of Article VII of the Constitution of the State of Hawaii and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriation contained in this Act will cause the state general fund expenditure ceiling for fiscal year 1990-1991 to be exceeded by \$45,000, or 0.0018 per cent. The reasons for exceeding the general fund expenditure ceiling are that the appropriation made in this Act is necessary to serve the public interest and to meet the need provided for by this Act.

SECTION 3. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§321- Catastrophic and traumatic emergency response program established. (a) The director shall establish within the department a catastrophic and traumatic emergency response program to:

- (1) Provide for the delivery of prompt psychological services in the event of a catastrophic event or traumatic emergency;
- (2) Provide for critical incident stress debriefing for ambulance, fire, police, and other emergency service personnel;
- (3) Provide for immediate delivery of psychological services to the residents and visitors;
- (4) Coordinate the use of other public and private resources of post-disaster psychological services for the immediate and long-term delivery of psychological assistance to trauma victims; and
- (5) Advise state government and emergency service personnel on psychological issues and trauma victim behavior in the planning of and responses to catastrophic events and traumatic emergencies.

(b) The director shall compile a list of qualified mental health professionals who are willing to serve on a catastrophic and traumatic emergency response team, giving priority to individuals with experience in dealing with catastrophic or traumatic emergency events. The director shall appoint at least one team of professionals from the list, making a reasonable effort to appoint at least one member from each island, except Niihau. If a qualified representative cannot be appointed from each island, the director, at a minimum, shall appoint one member from each county. Each team appointed shall serve for a period of four years, with one member who has specialized training in trauma care to be designated as the team leader; provided that the director shall have the flexibility of appointing additional special teams for shorter or longer periods of time as the

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need arises. Members of a catastrophic and traumatic emergency response team shall receive continuing professional education and training on the provision of psychological assistance to be ready to provide services whenever a catastrophic event or traumatic emergency occurs. The team members shall be compensated for each day of service provided under this section, including participation in training required by the director, in accordance with a fee schedule to be established by the director pursuant to chapter 91.

(c) For purposes of this section, "catastrophic event or traumatic emergency" means any tragic occurrence that has resulted in:

- (1) The loss of lives, infliction of injury, harm or suffering among humans, including hostage situations; or
- (2) Extensive destruction of property.

The term includes, but shall not be limited to, disasters for which relief is provided under chapter 127.

(d) The team shall be activated by the director whenever the director finds that psychological assistance is appropriate following a catastrophic event or traumatic emergency.

(e) The director shall adopt rules under chapter 91 to implement the emergency response trauma program, which shall include the qualifications of and appointment process for catastrophic and traumatic emergency response team members."

SECTION 4. There is appropriated out of the general revenues of the State of Hawaii the sum of \$45,000, or so much thereof as may be necessary for fiscal year 1990-1991, for the establishment of a catastrophic and traumatic emergency response program.

The sum appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 5. New statutory material is underscored.¹

SECTION 6. This Act shall take effect on July 1, 1990.

(Approved June 25, 1990.)

Note

1. Edited pursuant to HRS §23G-16.5.