

ACT 107

S.B. NO. 1241

A Bill for an Act Relating to Cancer Examinations.

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

SECTION 1. The purpose of this Act is to:

- (1) Repeal section 321-45, Hawaii Revised Statutes, which requires hospitals to offer a uterine cytologic examination to all female in-patients twenty years of age or older, unless the exam is contraindicated by the attending physician or was performed within the previous year;
- (2) Establish that cancer examinations shall be part of a statewide comprehensive cancer control plan to be developed by the department of health; and
- (3) Require the department of health to work with other government agencies, health care providers, health insurers, and others to improve the overall rates of screening, early diagnosis, and treatment of cancer.

SECTION 2. Section 321-45, Hawaii Revised Statutes, is amended to read as follows:

~~“[§321-45 Cancer examination.] Every hospital licensed by the State shall offer a uterine cytologic examination for cancer to every female in-patient twenty years of age or over unless considered contraindicated by the attending physician or unless it has been performed within the previous year. Every woman for whom the test is applicable will have the right to refuse such test on the counsel of the attending physician or on her own judgment. The hospital will in all cases maintain records to show either the results of the test or that the test was not applicable or that it was refused.”~~ Cancer examinations shall be part of a statewide comprehensive cancer control plan to be developed by the department. The plan shall include provisions for cancer examination, including cervical cancer screening. The department shall work with other government agencies, health care providers, health insurers, and others to improve the overall rates of screening, early diagnosis, and treatment of cancer.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved May 30, 2003.)