

—.B. NO.—

---

# A BILL FOR AN ACT

RELATING TO EMERGENCY MEDICAL SYSTEMS OF CARE.

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

1        SECTION 1. The legislature finds that the State's current  
2    emergency medical services statutes were designed for an earlier  
3    era and do not reflect the complexities of modern time-  
4    sensitive, emergency medical systems of care. Recent emergency  
5    events across the State have exposed significant gaps in  
6    coordination, integration, and resource deployment across  
7    emergency medical services, acute care facilities, and the  
8    trauma system. These events underscored the vulnerability of  
9    Hawaii's geographically isolated rural communities and  
10   highlighted the urgent need for modernization.

11       The legislature further finds that contemporary models of  
12   emergency and acute care prioritize integrated systems that  
13   address time-sensitive emergencies such as trauma, heart  
14   attacks, strokes, sepsis, and burns with the same urgency and  
15   structure as traditional emergency response. By adopting a  
16   time-sensitive emergency medical systems of care model, Hawaii  
17   can improve patient survival, reduce long-term disability, and

## \_\_\_\_\_B. NO.\_\_\_\_\_

1 strengthen statewide resilience in times of disaster or public  
2 health crisis.

3 Aligning Hawaii's emergency medical services statutes with  
4 national best practices in systems integration will:

- 5 (1) Ensure coordinated, evidence-based care for time-  
6 sensitive emergencies across all islands;
- 7 (2) Modernize emergency medical services and trauma  
8 systems to meet current and future challenges;
- 9 (3) Improve patient outcomes through standardized,  
10 statewide protocols; and
- 11 (4) Enhance preparedness for future natural disasters,  
12 mass casualty incidents, and public health threats.

13 Accordingly, the purpose of this Act is to update Hawaii's  
14 emergency medical services statutes to establish a  
15 comprehensive, time-sensitive, emergency medical systems of care  
16 model that strengthens the State's capacity to respond  
17 effectively to emergencies and safeguard the health of our  
18 residents, living on all islands.

19 SECTION 2. Section 321-221, Hawaii Revised Statutes, is  
20 amended to read as follows:

21 **"§321-221 Findings and purpose.** The legislature finds  
22 that the establishment of [a] state emergency medical [services

\_\_\_\_\_B. NO.\_\_\_\_\_

1 system,] systems of care, including emergency medical services,  
2 emergency medical services for children, and trauma and critical  
3 care services is a matter of compelling state interest and  
4 necessary to protect and preserve public health. A system  
5 designed to reduce medical emergency deaths, injuries, and  
6 permanent long-term disability through the implementation of a  
7 fully integrated, cohesive network of components, the  
8 legislature further finds, will best serve public health  
9 needs. Accordingly, the [purpose] purposes of this part [is]  
10 are to establish and maintain [a] state emergency medical  
11 [services system] systems of care in communities that can be  
12 most effectively served by the State, and to fix the  
13 responsibility for the administration of [this] state [system,]  
14 emergency medical systems of care, which shall provide for the  
15 arrangement of personnel, facilities, and equipment for the  
16 effective and coordinated delivery of health care services under  
17 emergency conditions, whether occurring as the result of a  
18 patient's condition, from natural disasters, or from other  
19 causes. The [system] emergency medical systems of care shall  
20 provide for personnel, personnel training, communications,  
21 emergency transportation, facilities, coordination with  
22 emergency medical and critical care services, coordination and

\_\_\_\_\_.B. NO.\_\_\_\_\_

1 use of available public safety agencies, promotion of consumer  
2 participation, accessibility to care, mandatory standard medical  
3 recordkeeping, consumer information and education, independent  
4 review and evaluation, disaster linkage, mutual aid agreements,  
5 and other components necessary to meet the purposes of this  
6 part."

7 SECTION 3. Section 321-222, Hawaii Revised Statutes, is  
8 amended to read as follows:

9       **"§321-222 Definitions.** As used in this part, unless the  
10 context clearly requires otherwise:

11       "Advanced emergency medical technician" means a health  
12 professional certified by the National Registry of Emergency  
13 Medical Technicians and licensed by the State of Hawaii as an  
14 advanced emergency medical technician to provide basic and  
15 limited advanced emergency medical care and transportation for  
16 critical and emergency patients to access the emergency medical  
17 systems of care.

18       "Advanced life support" means initiating all basic life  
19 support care as well as invasive patient care designed to  
20 stabilize and support a patient's condition due to sudden  
21 illness or injury. The care rendered, excluding basic life  
22 support, constitutes the practice of medicine.

\_\_\_\_\_.B. NO.\_\_\_\_\_

1        "Advisory [committee] council" means the Hawaii emergency  
2    medical [services] systems of care advisory [committee]  
3    council.

4        "Air-medical services" means medical care and transport of  
5    patients by aircraft, provided by a licensed air ambulance  
6    operator with qualified medical personnel, and regulated as part  
7    of the statewide emergency medical systems of care.

8        "Basic life support" means initiating noninvasive emergency  
9    patient care designed to optimize the patient's chances of  
10   surviving the emergency situation. The care rendered consists  
11   of all first aid procedures needed, but does not include  
12   invasive procedures [which] that constitute the practice of  
13   medicine; provided that state-approved basic life support  
14   personnel may use fully automatic external defibrillators,  
15   initiate intravenous lines, place tourniquets, and perform  
16   manual external defibrillation under the direction and personal  
17   supervision of a [mobile intensive care technician] state-  
18   licensed clinician and in accordance with rules adopted by the  
19   department.

20       "Department" means the department of health.

21       "Emergency [aeromedical] air-medical services" means a  
22   [secondary] response system that provides immediate critical

## \_\_\_\_\_B. NO.\_\_\_\_\_

1 care and transport [~~by rotary-wing aircraft~~] of a patient by  
2 aircraft to a facility that provides specialized medical care.

3 "Emergency medical responder" means a person certified by  
4 the National Registry of Emergency Medical Technicians.

5 "Emergency medical services for children" means emergency  
6 medical services, including preventive, pre-hospital, hospital,  
7 rehabilitative, and other post-hospital care for children.

8 "Emergency medical services personnel" means any [~~mobile~~  
9 ~~intensive care technician or~~] paramedic, advanced emergency  
10 medical technician, emergency medical technician, emergency  
11 medical responder, or other healthcare worker who is certified  
12 or licensed by the State.

13 "Emergency medical systems of care" means a fully  
14 integrated and cohesive statewide network of components that  
15 provide timely and effective care to individuals experiencing  
16 crisis situations. Components of an emergency medical systems  
17 of care include, but are not limited to, community-based  
18 services, pre-hospital care, emergency response, facility-based  
19 care, disaster response, and other post-hospital services that  
20 support stabilization, treatment, and transport.

21 "Emergency medical technician" means a person certified by  
22 the National Registry of Emergency Medical Technicians and

## \_\_\_\_\_B. NO.\_\_\_\_\_

1        licensed by the State of Hawaii whose primary focus is to  
2        provide immediate lifesaving care to patients while ensuring  
3        access to the emergency medical systems of care.

4        "First responder personnel" means a person who ~~has~~  
5        ~~successfully completed a United States Department of~~  
6        ~~Transportation approved First Responder Course of training in~~  
7        ~~emergency basic life support.] provides initial assistance until~~  
8        emergency medical services personnel arrive.

9        "Medicom" means the emergency medical systems of care  
10      medical communications that monitor statewide resource  
11      availability, emergency dispatch, hospital notifications,  
12      interfacility transfers, and disaster communications.

13      "Medicom center" means the centralized coordination place  
14      for medicom functions.

15      "Paramedic" means a mobile intensive care technician who is  
16      an allied health professional certified by the National Registry  
17      of Emergency Medical Technicians whose primary focus is to  
18      provide advanced emergency medical care for critical and  
19      emergent patients who access the emergency medical systems of  
20      care.

21      "Service area" means the State, excluding any county having  
22      a population of five hundred thousand or more.

## \_\_\_\_\_B. NO.\_\_\_\_\_

1        "State system" means the state [pre-hospital] emergency  
2    medical [~~services system.~~] systems of care.

3        "Statewide" means all counties in the State."

4        SECTION 3. Section 321-223, Hawaii Revised Statutes, is  
5    amended to read as follows:

6        **"§321-223 State emergency medical [~~services system,~~]**  
7    **systems of care, establishment.** The department shall establish,  
8    administer, and maintain the state emergency medical [~~services~~  
9    ~~system~~] systems of care to serve the emergency health needs of  
10   the people in the service area. All emergency medical services  
11   or ambulance services contracted by or under the authority of  
12   the department or any county within the service area shall be  
13   consistent with this part."

14       SECTION 4. Section 321-224, Hawaii Revised Statutes, is  
15   amended by amending subsection (a) to read as follows:

16       "(a) In addition to other functions and duties assigned  
17   under this part, the department shall:

18            (1) Regulate ambulances and ambulance services statewide;  
19            (2) Establish emergency medical services throughout the  
20            service area, including emergency [~~aeromedical~~] air-  
21            medical services, which shall meet the requirements of  
22            this part, subject to section 321-228;

. B. NO.

1 (3) Review and approve the curricula and syllabi of  
2 training courses offered to emergency medical services  
3 personnel statewide who provide basic, intermediate,  
4 and advanced life support, consult and coordinate with  
5 the University of Hawaii, or any other accredited  
6 community college, college, or university, or any  
7 professional organization that provides emergency  
8 medical services training, regarding the training for  
9 basic, intermediate, and advanced life support  
10 personnel, as provided in section 321-229;

11 (4) Collect and evaluate data for the continued evaluation  
12 of the statewide emergency medical [~~services system,~~]  
13 systems of care, subject to section 321-230;

14 (5) Coordinate, on a statewide basis, emergency medical  
15 resources and the allocation of emergency services and  
16 facilities in the event of mass casualties, natural  
17 disasters, national emergencies, and other  
18 emergencies, ensuring linkage to local, state, and  
19 national disaster plans, and participation in  
20 exercises to test these plans;

21 (6) Establish, administer, and maintain a communication  
22 system [~~for the service area;~~] statewide including

## \_\_\_\_\_B. NO.\_\_\_\_\_

1                   interoperability with organizations essential to core  
2                   operations of Hawaii's emergency medical systems of  
3                   care;

4                   (7) ~~[Assist each county in the service area in the]~~  
5                   Oversee the development and implementation of a  
6                   statewide "911" emergency [telephone] dispatch system;  
7                   (8) Secure technical assistance and other assistance and  
8                   consultation necessary for the implementation of this  
9                   part, subject to section 321-230;  
10                  (9) Implement public information and education programs to  
11                  inform the public of the statewide system and its use,  
12                  and disseminate other emergency medical information,  
13                  including appropriate methods of medical self-help and  
14                  first-aid, and the availability of first-aid training  
15                  programs statewide;  
16                  (10) Establish standards and provide training for  
17                  dispatchers in the state system, and maintain a  
18                  program of quality assurance for dispatch equipment  
19                  and operations; provided that individuals acting as  
20                  dispatchers in the State as of July 1, 2022, shall  
21                  obtain emergency medical dispatch certification by

. B. NO.

**15** SECTION 5. Section 321-225, Hawaii Revised Statutes, is  
**16** amended to read as follows:

17 "§321-225 The [state] Hawaii emergency medical [services]  
18 systems advisory [committee.] council. (a) There is  
19 established within the department of health for administrative  
20 purposes only the [state] Hawaii emergency medical [services]  
21 systems advisory [committee,] council, which shall sit in an  
22 advisory capacity to the department of health on all matters

## \_\_\_\_\_B. NO.\_\_\_\_\_

1 relating to the state system. The advisory [committee] council  
2 may advise the department of health upon request of the  
3 department or upon its own initiative with regard to the state  
4 system. The advisory [committee] council shall:

- 5 (1) Monitor, review, and evaluate on an ongoing basis the  
6 operations, administration, and efficacy of the state  
7 system or any components thereof, to determine  
8 conformity with and maximum implementation of this  
9 part[.];
- 10 (2) Prepare and submit periodic assessments, reports, and  
11 other documents relating to the state system to ensure  
12 the implementation of this part, as deemed necessary  
13 or desirable in the discretion of the advisory  
14 [committee.] council;
- 15 (3) Seek the input of the public in relation to the state  
16 system to ensure adequate fulfillment of the emergency  
17 medical services, emergency medical services for  
18 children, and trauma and critical care services needs  
19 of the State consistent with this part[.];
- 20 (4) Participate in any planning or other policymaking with  
21 regard to the state system, and seek the participation  
22 of the public, including subarea health planning

\_\_\_\_\_.B. NO.\_\_\_\_\_

1                   councils in its consideration of plans and policies  
2                   relating to the state system[-];  
3                   (5) Perform other functions, and have other duties  
4                   necessary to ensuring the fullest implementation and  
5                   maintenance of the state system[-]; and  
6                   (6) Advise the department of health in formulating a  
7                   master plan for emergency medical ~~services,~~ systems  
8                   of care, including medicom, the "911" system, and  
9                   other components necessary to meet the emergency  
10                  medical needs of the people of the State, which shall  
11                  be submitted to the legislature.  
12                  (b) The advisory ~~committee~~ council shall be composed of  
13                  [twenty] twenty-three members: [three] four nonvoting ex-officio  
14                  members, who shall be the director of transportation, the  
15                  adjutant general, the executive director of the Hawaii 9-1-1  
16                  board, and the administrator of the state health planning and  
17                  development agency, or the designated representatives thereof,  
18                  and ~~seventeen~~ nineteen members representing all counties of  
19                  the State who shall be appointed by the governor subject to  
20                  section 26-34 as follows:  
21                  (1) Five members who shall be physicians experienced in  
22                  the conduct and delivery of emergency medical

\_\_\_\_\_.B. NO.\_\_\_\_\_

1 services; provided that at least two shall be engaged  
2 in the practice of emergency medicine and be board-  
3 eligible or board-certified by the American Board of  
4 Emergency Medicine, and provided further that at least  
5 one physician shall be engaged in the practice of  
6 pediatrics and be board-eligible or board-certified by  
7 the American Board of Pediatrics;

8 (2) Four members who shall be consumers of health care and  
9 who shall have no connection with or relationship to  
10 the health care system of the State and who shall be  
11 representative of all counties;

12 (3) Four members of allied health professions related to  
13 emergency medical services; [and]

14 (4) Four members, one from each county, who shall be  
15 mobile intensive care technicians or emergency medical  
16 technicians engaged in the practice of pre-hospital  
17 emergency medical [~~service.~~] services; and

18 (5) Two members who shall be surgeons or clinicians  
19 experienced in the conduct and delivery of trauma or  
20 acute care services.

21 (c) The members of the advisory [~~committee~~] council shall  
22 serve without compensation, but shall be reimbursed for

\_\_\_\_\_.B. NO.\_\_\_\_\_

1 necessary expenses incurred in the performance of their duties,  
2 including travel expenses. The chairperson of the advisory  
3 [committee] council shall be elected by the members from among  
4 their numbers. A majority of the members of the advisory  
5 [committee] council shall constitute a quorum for the conduct of  
6 business of the advisory [committee.] council. A majority vote  
7 of the members present at a meeting at which a quorum is  
8 established shall be necessary to validate any action of the  
9 [committee.] council.

10 [+] (d) The advisory [committee] council may adopt rules  
11 for its governance.

12 [+] (e) The department of health shall provide necessary  
13 staff and other support required by the advisory [committee]  
14 council for the performance of its duties."

15 SECTION 6. Section 321-228, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 "**§321-228 Emergency medical services; counties.** The  
18 department shall determine, in consultation with the advisory  
19 committee under section 321-225, the levels of emergency medical  
20 services that shall be implemented in each county within the  
21 state service area. The department may contract to provide  
22 emergency medical services, including emergency [aeromedical]

.B. NO.      

1   air-medical services, or any necessary component of the  
2   emergency [~~services system of~~] medical systems of care within a  
3   county within the service area in conformance with the state  
4   system. If any county within the service area shall apply to  
5   the department to operate state emergency medical ambulance  
6   services within the respective county, the department may  
7   contract with the county for the provision of those  
8   services. The department shall operate emergency medical  
9   ambulance services or contract with a private agency in those  
10   counties within the service area that do not apply to it under  
11   this section. Any county or private agency contracting to  
12   provide emergency medical ambulance services under this section  
13   shall be required by the department to implement those services  
14   in a manner and at a level consistent with the levels determined  
15   under this section."

16           SECTION 7. Section 321-230, Hawaii Revised Statutes, is  
17   amended to read as follows:

18           **"§321-230 Technical assistance, data collection,**  
19   **evaluation.** (a) The department may contract for technical  
20   assistance and consultation, including categorization, data  
21   collection, and evaluation appropriate to the needs of the  
22   statewide emergency medical [~~services system.~~] systems of

## \_\_\_\_\_B. NO.\_\_\_\_\_

1   care. The collection and analysis of statewide emergency  
2   medical [~~services~~] systems of care data, including pediatrics,  
3   trauma, cardiac, stroke, burn, medical, and behavioral medical  
4   emergencies, shall be for the purpose of improving the quality  
5   of services provided.

6           The department may implement and maintain a trauma registry  
7   for the collection of information concerning the treatment of  
8   critical trauma patients at state designated trauma centers, and  
9   carry out a system for the management of that information. The  
10   system may provide for the recording of information concerning  
11   treatment received before and after a trauma patient's admission  
12   to a hospital or medical center. All state designated trauma  
13   centers shall submit to the department periodic reports of each  
14   patient treated for trauma in the state system in the manner as  
15   the department shall specify.

16           For the purposes of this subsection, "categorization" means  
17   systematic identification of the readiness and capabilities of  
18   hospitals and their staffs to adequately, expeditiously, and  
19   efficiently receive and treat emergency patients.

20           (b) The department shall establish, administer, and  
21   maintain an [~~aeromedical~~] emergency [~~medical~~] air-medical  
22   services system designed to collect and analyze data to measure

## \_\_\_\_\_B. NO.\_\_\_\_\_

1 the efficiency and effectiveness of each phase of the statewide  
2 emergency [aeromedical] air-medical program.

3 The department shall monitor [aeromedical] air-medical  
4 emergency ambulance service flights statewide to include date of  
5 service, patient demographics, transport diagnosis, and medical  
6 outcomes. The department medicom center shall work with each  
7 air-medical service provider and health care facility as the  
8 intermediary to arrange emergency transport of [bariatric]  
9 patients by licensed air-medical service providers, or by the  
10 United States Coast Guard, and maintain a registry of all  
11 emergency transports provided [by the United States Coast  
12 Guard]. All statewide [aeromedical] air-medical providers shall  
13 submit their data to the department as specified and requested  
14 by the department.

15 The statewide [aeromedical] emergency [medical] air-medical  
16 services system shall serve the emergency health needs of the  
17 people of the State by identifying:

- 18 (1) The system's strengths and weaknesses;
- 19 (2) The allocation of resources; and
- 20 (3) The development of [rotary-wing] emergency  
21 [aeromedical] air-medical services standards;

## \_\_\_\_\_B. NO.\_\_\_\_\_

1 provided that emergency helicopter use, including triage  
2 protocols, shall be based on national [aeromedical] air-medical  
3 triage and transport guidelines established by the Association  
4 of Air Medical Services, the American College of Surgeons, the  
5 National Association of Emergency Medical Service Physicians, or  
6 other department-approved national [aeromedical] air-medical  
7 accreditation agency. The department, in the implementation of  
8 this subsection, shall plan, coordinate, and provide assistance  
9 to all entities and agencies, public and private, involved in  
10 the statewide system.

11 (c) The department shall use an emergency [aeromedical  
12 services] air-medical quality improvement committee comprised of  
13 representatives of trauma, emergency, and tertiary care  
14 physicians and providers to analyze information collected from  
15 the [aeromedical] air-medical quality improvement performance  
16 measures as established by the [American College of Surgeons,]  
17 department, and to recommend system standards and resources to  
18 maintain and improve [the] Hawaii emergency [aeromedical] air-  
19 medical services [system]."

20 SECTION 8. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.

22 SECTION 9. This Act shall take effect upon its approval.

\_\_\_\_\_.B. NO.\_\_\_\_\_

**1**

**2** INTRODUCED BY: \_\_\_\_\_

**3** BY REQUEST

\_\_\_\_\_.B. NO.\_\_\_\_\_

**Report Title:**

Department of Health; Emergency Medical Services Systems of Care

**Description:**

Modernizes Hawaii's emergency medical services statutes to align with current best practices.

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