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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

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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~~

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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

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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.

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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

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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

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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.

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

"Statewide" means all counties in the State."

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

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

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

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

(1) Regulate ambulances and ambulance services statewide;

(2) Establish emergency medical services throughout the service area, including emergency [~~aeromedical~~] air-medical services, which shall meet the requirements of this part, subject to section 321-228;

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- (3) Review and approve the curricula and syllabi of training courses offered to emergency medical services personnel statewide who provide basic, intermediate, and advanced life support, consult and coordinate with the University of Hawaii, or any other accredited community college, college, or university, or any professional organization that provides emergency medical services training, regarding the training for basic, intermediate, and advanced life support personnel, as provided in section 321-229;
- (4) Collect and evaluate data for the continued evaluation of the statewide emergency medical [~~services system,~~] systems of care, subject to section 321-230;
- (5) Coordinate, on a statewide basis, emergency medical resources and the allocation of emergency services and facilities in the event of mass casualties, natural disasters, national emergencies, and other emergencies, ensuring linkage to local, state, and national disaster plans, and participation in exercises to test these plans;
- (6) Establish, administer, and maintain a communication system [~~for the service area,~~] statewide including

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

(7) ~~[Assist each county in the service area in the]~~

Oversee the development and implementation of a
statewide "911" emergency [telephone] dispatch system;

(8) Secure technical assistance and other assistance and
consultation necessary for the implementation of this
part, subject to section 321-230;

(9) Implement public information and education programs to
inform the public of the statewide system and its use,
and disseminate other emergency medical information,
including appropriate methods of medical self-help and
first-aid, and the availability of first-aid training
programs statewide;

(10) Establish standards and provide training for
dispatchers in the state system, and maintain a
program of quality assurance for dispatch equipment
and operations; provided that individuals acting as
dispatchers in the State as of July 1, 2022, shall
obtain emergency medical dispatch certification by

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- 1 July 1, 2026, and shall maintain certification
2 thereafter;
- 3 (11) Establish a program that will enable emergency service
4 personnel statewide to provide early defibrillation;
- 5 (12) Establish [~~within the department the~~] and maintain
6 emergency medical [~~service system~~] services for
7 children statewide;
- 8 (13) Consult with the advisory [~~committee~~] council on
9 matters relating to the implementation of this part;
10 and
- 11 (14) Establish and maintain statewide standards for
12 emergency medical services course instructor
13 qualifications and statewide requirements for
14 emergency medical services training facilities."

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

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

(1) Monitor, review, and evaluate on an ongoing basis the operations, administration, and efficacy of the state system or any components thereof, to determine conformity with and maximum implementation of this part[~~-~~];

(2) Prepare and submit periodic assessments, reports, and other documents relating to the state system to ensure the implementation of this part, as deemed necessary or desirable in the discretion of the advisory [~~committee~~.] council;

(3) Seek the input of the public in relation to the state system to ensure adequate fulfillment of the emergency medical services, emergency medical services for children, and trauma and critical care services needs of the State consistent with this part[~~-~~];

(4) Participate in any planning or other policymaking with regard to the state system, and seek the participation of the public, including subarea health planning

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councils in its consideration of plans and policies relating to the state system~~[.]~~;

(5) Perform other functions, and have other duties necessary to ensuring the fullest implementation and maintenance of the state system~~[.]~~; and

(6) Advise the department of health in formulating a master plan for emergency medical ~~[services,]~~ systems of care, including medicom, the "911" system, and other components necessary to meet the emergency medical needs of the people of the State, which shall be submitted to the legislature.

(b) The advisory ~~[committee]~~ council shall be composed of ~~[twenty]~~ twenty-three members: ~~[three]~~ four nonvoting ex-officio members, who shall be the director of transportation, the adjutant general, the executive director of the Hawaii 9-1-1 board, and the administrator of the state health planning and development agency, or the designated representatives thereof, and ~~[seventeen]~~ nineteen members representing all counties of the State who shall be appointed by the governor subject to section 26-34 as follows:

(1) Five members who shall be physicians experienced in the conduct and delivery of emergency medical

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

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

(3) Four members of allied health professions related to emergency medical services; ~~and~~

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

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

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

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

12 [~~(d)~~] (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~~]

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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

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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 [~~acromedical~~] emergency [~~medical~~] air-medical
22 services system designed to collect and analyze data to measure

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

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

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

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

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

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

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

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

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INTRODUCED BY: _____

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BY REQUEST

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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.