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**WRITTEN  
TESTIMONY**

**Testimony COMMENTING on SB49  
RELATING TO TERMINAL ILLNESS.**

SENATOR JOY A. SAN BUENAVENTURA, CHAIR  
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Hearing Date: January 29, 2025

Room Number: 329

1 **Department Testimony: Department Testimony:** The Department of Health (DOH) takes no  
2 position on authorizing manufacturers of pharmaceuticals to make them available for terminally  
3 ill patients prior to FDA approval.

4 The department recommends amendments to the prefatory language that adds a new chapter  
5 rather than adds a new section. SB49 amends chapter 321, Hawaii Revised Statutes, despite no  
6 roles or responsibilities for the Department of Health. For purposes of clarity, SB49 should be  
7 amended as follows:

8 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
9 amended by adding a new chapter to be appropriately  
10 designated and to read as follows:

11 **"CHAPTER**

12 **ACCESS TO INVESTIGATIONAL DRUGS OR BIOLOGICAL PRODUCTS**

13 § -1 **Definitions.** As used in this chapter, unless  
14 the context otherwise requires:

15 "Eligible patient" means...

16 § -2 **Terminally ill patients; access to**  
17 **investigational drugs or biological**

1 **products.** (a) Notwithstanding section 328-17, the  
2 manufacturer of an investigational drug or biological  
3 product may...

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# Hawai'i Association of Professional Nurses (HAPN)



**To:** The Honorable Senator Joy San Buenaventura, Chair of the Senate Committee on Health and Human Services

**From:** Hawai'i Association of Professional Nurses (HAPN)

**Subject:** SB49 – Relating to Terminal Illnesses

**Hearing:** January 29, 2025, 1:00 p.m.

Aloha Senator San Buenaventura, Chair; Senator Aquino, Vice Chair; and Members of the Committee,

On behalf of the Hawai'i Association of Professional Nurses (HAPN), we appreciate this opportunity to provide testimony **in support of SB49 with amendments**, which authorizes manufacturers of investigational drugs or biological products pending approval by the United States Food and Drug Administration (FDA) to make such drugs or products available to terminally ill patients under certain conditions, effective January 1, 2026.

HAPN supports this measure as a compassionate and necessary step to empower patients with terminal illnesses by expanding access to potentially life-saving or life-extending investigational treatments. However, **we respectfully request amendments to the bill to ensure provider-neutral language is used throughout, replacing “physician” with “healthcare provider” or “licensed healthcare provider.”** This modification reflects Hawai'i's multidisciplinary approach to healthcare and allows Advanced Practice Registered Nurses (APRNs) and other qualified professionals to fully participate in providing care to these patients.

APRNs are integral to Hawai'i's healthcare system, frequently serving as primary and specialty care providers, especially in rural and underserved communities where access to physicians may be limited. Including APRNs in the language of this bill ensures equity in the provision of care and upholds the principle that all patients, regardless of their healthcare provider, deserve access to the full range of treatment options.

HAPN's mission is to be the voice of APRNs in Hawai'i and to advocate for the healthcare needs of our diverse communities. This measure aligns with our commitment to ensuring access to compassionate and comprehensive care for all patients, particularly those facing terminal illnesses.

Thank you for the opportunity to testify on this important measure. We appreciate your ongoing dedication to healthcare equity and access in our state.

Respectfully,

Dr. Jeremy Creekmore, APRN  
HAPN President