

Honolulu, Hawaii

FEB 16 , 2024

RE: H.B. No. 2079
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2079, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Relax the requirements for prescribing certain controlled substances as part of gender-affirming health care services;
- (2) Expand the protections established under Act 2, Session Laws of Hawaii 2023, to include gender-affirming health care services; and
- (3) Clarify jurisdiction under the Uniform Child-Custody Jurisdiction and Enforcement Act for cases involving children who obtain gender-affirming health care services.

Your Committee received testimony in support of this measure from the Hawai'i State Center for Nursing; Hawai'i Civil Rights Commission; one member of the Hawai'i County Council; Democratic Party of Hawai'i; Rainbow Family 808; HI SIS, LLC; QueerDoc; Physicians for Reproductive Health; Hawaii Health & Harm Reduction



Center; Planned Parenthood Alliance Advocates - Hawai'i; Stonewall Caucus of the Democratic Party of Hawai'i; and numerous individuals. Your Committee received testimony in opposition to this measure from five individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs; Office of Information Practices; Hawaii Medical Board; Board of Nursing; Hawaii Medical Service Association; and Kaiser Permanente Hawai'i.

Your Committee finds that gender-affirming care is a supportive form of health care that improves the mental health and overall well-being of transgender and gender-diverse persons and consists of an array of services that may include medical, surgical, mental health, and non-medical services. This measure relaxes restrictions on access to medically necessary, evidence-based gender affirming care for transgender and gender-diverse persons, which will enable patients seeking gender-affirming care to access the support and services they need.

Your Committee further finds that dozens of states across the nation have either passed or are considering passing laws prohibiting gender-affirming care to persons of all ages. This measure also protects health care professionals in the State who provide gender-affirming health care services from investigations and prosecutions initiated by other jurisdictions based on the provision of gender-affirming care.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2079, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.B. No. 2079, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



MARK M. NAKASHIMA, Chair



