STAND. COM. REP. NO. 28

Honolulu, Hawaii JAN 31 , 2025

H.B. No. 731 RE: H.D. 1

Honorable Nadine K. Nakamura Speaker, House of Representatives Thirty-Third State Legislature Regular Session of 2025 State of Hawaii

Madame:

Your Committee on Human Services & Homelessness, to which was referred H.B. No. 731 entitled:

"A BILL FOR AN ACT RELATING TO MINORS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1)Authorize a physician, upon consultation with a minor patient who indicates that the minor was the victim of a sexual offense, with the consent of the minor patient, to perform customary and necessary examinations to obtain evidence of the sexual offense and may prescribe for and treat the patient for any immediate condition caused by the sexual offense; and
- Provide that the consent of the parent, parents, or (2) legal guardian of a minor offender who has been committed to the Hawaii Youth Correctional Facilities shall not be necessary in order to authorize hospital, medical, mental health, dental, emergency health, or emergency surgical care.

Your Committee received testimony in support of this measure from the Office of Youth Services; Hawai'i Association of Professional Nurses; and one individual. Your Committee received



STAND. COM. REP. NO. 28 Page 2

testimony in opposition to this measure from The Sex Abuse Treatment Center. Your Committee received comments on this measure from the Department of the Attorney General; Hawai'i State Center for Nursing; and SAFE Team Maui County.

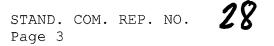
Your Committee finds that minors who are victims of sexual offenses require access to necessary and timely trauma-informed care. By safeguarding minors' rights and streamlining access to specialized care, such as sexual assault forensic examinations, this measure strengthens Hawaii's ability to address the needs of vulnerable youth and reduce the barriers to justice and recovery.

Your Committee has amended this measure by:

- (1) Clarifying that a licensed health care provider properly trained in the medical forensic care of a patient who has experienced sexual assault or abuse, rather than a physician, may perform the customary and necessary examinations under this measure;
- (2) Clarifies provisions related to civil and criminal liability for health care providers;
- (3) Deleting language regarding parental or guardian consent for treatment of minors in the custody of the Hawaii Youth Correctional Facilities, as the Director of the Office of Youth Services already has the power to consent to medical and other health care services for youth in custody;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (5) 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 Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 731, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 731, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.





Respectfully submitted on behalf of the members of the Committee on Human Services & Homelessness,

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LISA MARTEN, Chair



State of Hawaii House of Representatives The Thirty-third Legislature



Record of Votes of the Committee on Human Services & Homelessness

Bill/Resolution No.: HB731	Committee Referral: HSH, CPC, JHA 1/28/2025			
The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
HSH Members	Ayes	Ayes (WR)	Nays	Excused
1. MARTEN, Lisa (C)	X			
2. OLDS, Ikaika (VC)	X			
3. AMATO, Terez	X			
4. CHUN, Cory M.				
5. KEOHOKAPU-LEE LOY, Sue L.				
S. REOHONAI CILLE LOT, SUCL.		ur. tana.		
6. TAKAYAMA, Gregg	Y			
7. TAKENOUCHI, Jenna	X			
8. ALCOS III, David				×
9. GARCIA, Diamond			X	
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TOTAL (9)	7		1	1
The recommendation is: Adopted IN Not Adopted				
If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				