Honolulu, Hawaii

Monh3, 2006

RE: H.B. No. 2057

H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2057, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this bill is to honor certain cultural and religious practices by allowing hospitals, after appropriate testing for infections or hazards, to release a placenta to the woman from whom the placenta originated.

The Office of Hawaiian Affairs, 'Ahahui Siwila Hawaii O Kapolei, American Civil Liberties Union of Hawaii, Hawaii Women's Coalition, Healthy Mothers, Healthy Babies, Coalition of Hawaii, Kaiser Permanente Hawaii, Native Hawaiian Legal Corporation, Waikiki Hawaiian Civic Club, and numerous concerned individuals testified in support of this bill. The Department of Health (DOH) supported this measure with an amendment.

Your Committee finds that the establishment of a new section in Chapter 321, Hawaii Revised Statutes (HRS), is more appropriate than placing the bill's provisions under section 321-21, HRS, dealing with management and disposal of infectious wastes, given that the purpose of this measure is to honor religious and cultural practices associated with childbirth. Removal of the bill's provisions from section 321-21, HRS, also frees DOH from rulemaking requirements of that section and provides more

immediate relief for those who would benefit from the release of human placenta.

Accordingly, your Committee has amended this bill by:

- (1) Modifying the purpose clause;
- (2) Placing the bill's provisions in a new section to be added to Chapter 321, HRS, rather than in section 321-21, HRS; and
- (3) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2057, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2057, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary,



State of Hawaii House of Representatives The Twenty-third Legislature

Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Date:				
HB 2057 HD1 (HSCR315-06)	2/16/06				
Committee Referral: HLT, JUD		☐ The committee is reconsidering its previous decision on the measure.			
The recommendation is to: Pass, unamended	S F	Pass, with amendments			
☐ Hold ☐ Recommit					
JUD Members	Ayes	Ayes (WR)	Nays	Excused	
1. LUKE, Sylvia (C)	<i></i>				
2. OSHIRO, Blake K. (VC)					
3. CALDWELL, Kirk					
4. KANOHO, Ezra R.	-				
5. KARAMATSU, Jon Riki					
6. MORITA, Hermina M.					
7. SONSON, Alex M.					
8. SOUKI, Joseph M.	✓				
9. MARUMOTO, Barbara C.					
10. THIELEN, Cynthia					
TOTAL	H	D	0	2	
The recommendation is: Adopted 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) – HMSO Duplicate (Pink) – Clerk's Office					