STAND. COM. REP. NO. 2604

Honolulu, Hawaii

MAR - 2 2006

RE: S.B. No. 2133

S.D. 2

Honorable Robert Bunda President of the Senate Twenty-Third State Legislature Regular Session of 2006 State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which was referred S.B. No. 2133, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to allow a placenta to be released by a hospital, upon negative findings of infection or hazard, to the woman from which it originated.

Testimony in support of this measure was submitted by 'Ahahui Siwila Hawai'i O Kapolei; Healthy Mothers, Healthy Babies Coalition of Hawai'i; the Honolulu County Committee on the Status of Women; Kaiser Permanente Hawaii; the Native Hawaiian Legal Corporation; Hawaii Women's Coalition; the Waikiki Hawaiian Civic Club; and six individuals. Comments were also submitted by the Department of Health.

Your Committee finds that Native Hawaiian traditions and customary practices are essential to sustaining the Hawaiian culture, and need protection. An important cultural practice is for the family to bury the placenta or 'iewe after a child is born. This Hawaiian custom dates back to pre-contact Hawaii culture. Your Committee also notes that in addition to na kanaka maoli, other cultures, including Chinese, Filipino, and Japanese, all practice some form of burying the placenta to protect the child and ensure its future health.

Your Committee further finds that it is imperative that hospitals and other health care facilities allow families of newborns who want to continue this tradition by releasing the placenta to the mother.

Your Committee noted suggestions from the Department of Health to create a new section within Chapter 321, Hawaii Revised Statutes, which enables a hospital to safely release a human placenta to the mother or her designee after the mother is appropriately tested. After careful consideration, your Committee has adopted the Department of Health's recommendations and amended this measure accordingly to more appropriately reference human placenta rather than infectious waste.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2133, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2133, S.D. 2.

Respectfully submitted on behalf of the members of the Committee on Judiciary and Hawaiian Affairs,

COLLEEN HANABUSA, Chair

The Senate Twenty-Third Legislature State of Hawaii

Record of Votes of the Committee on Judiciary and Hawaiian Affairs (Bills and Resolutions)

Measure:* SB 2	Committee Referral: HTH, JH			Date: 2 / 2 4 / 0 6		
The committee is reconsidering its previous decision on this measure.						
If so, then the previous decision was to:						
The Recommendation	on is to:	,				
Pass, unamended Pass, with amendments Hold Recommit (2312) (2311) (2310) (2313)						
	Members		Ayes	Ayes(WR)	Nays	Excused
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Recommendation: Adopted				Not Adopted		
Chair's or Designee's Signature: When the control of the control						
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy						

^{*}Do <u>not</u> list more than one measure per Record of Votes.