
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that in July 2001, the
2 *Surgeon General's Call to Action to Promote Sexual Health and*
3 *Responsible Sexual Behavior* was released. Citing research
4 findings on the effectiveness of various program interventions,
5 the Surgeon General's report stresses the importance of sex
6 education that balances the encouragement of abstinence with an
7 awareness of optimal protection from sexually transmitted
8 diseases and unintended pregnancy for those who are sexually
9 active. In its set of national goals for improved public
10 health, known as *Healthy People 2010*, the United States
11 Department of Health and Human Services also emphasizes the need
12 to reduce teenage pregnancy and sexually transmitted disease
13 rates in part using comprehensive sex education programs.

14 In order to help students make decisions that promote
15 healthy behaviors, the department of education instructs
16 students that abstention from sexual intercourse is the surest
17 and most responsible way to prevent unintended pregnancies,



1 sexually transmitted diseases, and the consequent emotional
2 distress.

3 The purpose of this Act is to require any recipient of
4 state funding that provides sexual health education to provide
5 medically accurate, factual information that is age-appropriate
6 and includes education on both abstinence and contraception.

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

10 "§321- Sexual health education; requirements. (a) Any
11 recipient of state funding that provides sexual health education
12 shall provide medically accurate, factual information that is
13 age-appropriate and that includes education on both abstinence
14 and contraception for the prevention of pregnancy and sexually
15 transmitted diseases, including HIV; provided that if the
16 recipient is also receiving federal funding on the effective
17 date of this Act from which the recipient would be disqualified
18 by complying with this section, the recipient shall be exempt
19 from the requirements of this section until the federal funding
20 expires.

21 (b) For purposes of this section:



1 "Age-appropriate" means suitable to a particular age or age
2 group based on the developing cognitive, emotional, and
3 behavioral capacity typical for that age or age group.

4 "Factual information" means medical, psychiatric,
5 psychological, empirical, or statistical information or
6 statement that is supported by peer-reviewed research by leading
7 medical, psychiatric, psychological, and public health
8 organizations and agencies.

9 "Medically accurate" means verified or supported by
10 research conducted in compliance with scientific methods and
11 published in peer-reviewed journals, where appropriate, and
12 recognized as accurate and objective by professional
13 organizations and agencies with expertise in the relevant field,
14 such as the federal Centers for Disease Control and Prevention,
15 the American Public Health Association, the American Academy of
16 Pediatrics, and the American College of Obstetricians and
17 Gynecologists.

18 "Sexual health education" means education in any medium
19 regarding human development and sexuality, including education
20 on pregnancy, family planning, and sexually transmitted
21 diseases."

22 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Health; Sexual Health Education

Description:

Requires recipients of state funding that provide sexual health education to provide medically accurate, factual information that is age-appropriate and includes education on both abstinence and contraception. Provides exemption to programs receiving federal funds that would lose those funds by complying with state requirement.

