STAND. COM. REP. NO. 183

Honolulu, Hawaii

Febil, 2009

RE: H.B. No. 423 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 423 entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR SEXUAL ASSAULT SURVIVORS,"

begs leave to report as follows:

The purpose of this bill is to ensure that women who have been the victim of rape are provided with information on all their treatment options by requiring hospitals to provide:

- (1) Information about emergency contraception; and
- (2) Emergency contraception, when requested to avoid an unintended pregnancy from an act of violence.

The Sex Abuse Treatment Center, Planned Parenthood of Hawaii, Hawaii Section of the American College of Obstetricians and Gynecologists, Hawaii State Democratic Women's Caucus, Healthy Mothers Healthy Babies Coalition of Hawaii, League of Women Voters of Hawaii, American Civil Liberties Union of Hawaii, and several concerned individuals supported this bill. The Department of Health, St. Francis Healthcare System of Hawaii, Hawaii Family Forum, Hawaii Catholic Conference, Hawaii Medical Center, and several concerned individuals opposed this measure.

Your Committee has amended this bill by:

- (1) Providing a religious exemption to religiously affiliated hospitals claiming a religious objection;
- (2) Requiring the hospital given an exemption to provide immediate transportation for a victim of a sexual assault, at no cost to the victim, to an appropriate health care facility;
- (3) Providing that hospitals receiving an exemption must provide information to a victim of all treatment options they may receive from a health care facility the victim is being transported to;
- (4) Ensuring that the exempted hospital inform a victim of a sexual assault that refusal to provide emergency contraception to the victim is not the fault of the victim, but solely due to the hospital's religious affiliation; and
- (5) Making technical, nonsubstantive changes for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 423, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 423, H.D. 1, and be referred to the Committee on Judiciary.

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

RYANI. YAMANE, Chair

State of Hawaii House of Representatives The Twenty-fifth Legislature

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 423	Committee Referral: HLT, JUD	Date	e: 2 - 0 3 - 0 9	
☐ The committee is reconsidering its prev	vious decision on the measure.			
	unamended (as is) Pass	s, with amendments		
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)				
2. NISHIMOTO, Scott Y. (VC)				
3. BELATTI, Della Au		165		
3. BEERT 11, Bena Au				
4. BERTRAM, Joe, III				
5. BROWER, Tom				
6. CARROLL, Mele	Temperature Temperature	State Sec		
o. CARROLL, Mele	19 21			
7. MIZUNO, John M.				
8. SHIMABUKURO, Maile S.L.				
O EINNECAN Laws				
9. FINNEGAN, Lynn				
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TOTAL (9)	8		A Mark Mark	l.
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 524.				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				