STAND. COM. REP. NO. 209 Honolulu, Hawaii Fes N, 2011

RE: H.B. No. 127 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 127 entitled:

"A BILL FOR AN ACT RELATING TO HEALTHCARE,"

begs leave to report as follows:

The purpose of this bill is to require hospitals that provide emergency care to provide certain services to a sexual assault survivor, including:

- Providing medically and factually accurate and unbiased written and oral information about emergency contraception;
- (2) Informing female sexual assault survivors of the option to receive emergency contraception;
- (3) Providing emergency contraception upon request, when medically indicated; and
- (4) Ensuring that the appropriate staff are adequately trained with regard to emergency contraception information and accessibility, and sexual assault treatment options.

HB127 HD1 HSCR HLT HMS 2011-1950

STAND. COM. REP. NO. 209

This measure also requires the Department of Health (DOH) to establish policies and procedures to monitor compliance and gives DOH the ability to set, charge, and collect fines and recover administrative fees and costs.

The City and County of Honolulu Department of the Prosecuting Attorney, American Civil Liberties Union of Hawaii, The Sex Abuse Treatment Center, Healthy Mothers Healthy Babies Coalition of Hawaii, Papa Ola Lokahi, Planned Parenthood of Hawaii, The League of Women Voters of Hawaii, Democratic Party of Hawaii Women's Caucus, Women's Coalition, and many concerned individuals testified in support of this bill.

The Hawaii Family Forum, Hawaii Catholic Conference, St. Francis Healthcare System of Hawaii, Hawaii Right to Life, Pro-Family Hawaii, and many concerned individuals opposed this measure. Kaiser Permanente Hawaii, Hawaii Health Systems Corporation, the Healthcare Association of Hawaii, and a concerned individual provided comments.

Your Committee has amended this bill by:

- (1) Referencing "providers", in addition to hospitals;
- (2) Defining "provider" as any entity that provides sexual assault survivor services in a non-hospital setting;
- (3) Specifying that "medical care" includes outside consultation and referrals;
- (4) Delineating services that are required of sexual assault service providers, including:
 - (A) Having certain medically trained personnel ready to respond within 30 minutes of admitting a sexual assault survivor;
 - (B) Providing medically accurate information;
 - (C) Providing transportation and the initial dose of medication, and counseling services at no cost to the provider; and
 - (D) Having staff available to provide services 24 hours per day, seven days a week;



STAND. COM. REP. NO. Page 3

- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments 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. 127, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 127, H.D. 1, and be referred to the Committee on Judiciary.

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

Chair ANE,



State of Hawaii House of Representatives The Twenty-sixth Legislature



Record of Votes of the Committee on Health

Bill/Resolution No.: LB127 H	Committee Referral: H-ealth		Date: 02/04/2011		
□ 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)					
HLT Members	Ayes	Ayes (WR)	Nays	Excused	
1. YAMANE, Ryan I. (C)		\checkmark			
2. MORIKAWA, Dee (VC)					
3. BELATTI, Della Au					
4. HANOHANO, Faye P.	\checkmark			······	
5. JORDAN, Jo	\checkmark				
6. LEE, Chris	\checkmark				
7. MIZUNO, John M.					
8. WOOLEY, Jessica	\checkmark				
9. CHING, Corinne W.L.			\checkmark		
10. PINE, Kymberly Marcos			\checkmark		
TOTAL (10)	6	2	2		
The recommendation is: Adopted I Not Adopted If joint referral, did not support recommendation.					
Vice Chair's or designee's signature:					
Distribution: Original (White) Committee Duplicate (Yellow) Chief Clerk's Office Duplicate (Pink) HMSO					