STAND. COM. REP. NO. **750** -20

Honolulu, Hawaii , 2020 FEB 0 7 RE: H.B. No. 2459 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 2459 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL AUTONOMY,"

begs leave to report as follows:

The purpose of this measure is to allow conscientious beliefs as sufficient grounds for exemption to any vaccination requirements in the State.

Your Committee received testimony in support of this measure from the Informed Consent Action Network, National Vaccine Information Center, Patients Without Time, Hawaii For Informed Consent, Arthritis Laser Center, Association of American Physicians and Surgeons, Hawaii Society of Naturopathic Physicians, Seeds of Truth, Hawaii Association of Independent Schools, and over two hundred individuals. Your Committee received testimony in opposition to this measure from the Department of Health, Hawaii Medical Association, Kona Community Hospital, West Hawaii Region, Hawaii Health Systems Corporation, American Academy of Pediatrics, Hawaii Chapter, and numerous individuals. Your Committee received comments on this measure from the Department of Education.

Your Committee finds that while vaccines may be safe and effective for many individuals, like all pharmaceutical products,



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they may also carry risk of injury, death, and failure to prevent infection in others. Individuals may object to vaccines for medical and religious reasons. Additionally, some individuals may object to one, some, or all vaccines based on moral conscience alone.

Your Committee further finds that immunization programs are sources of contention, but also can serve as protection. Although no vaccine is completely effective, for some diseases, a highly vaccinated population is needed to prevent the spread of disease. Concerns surrounding measles outbreaks, such as the recent outbreak in Samoa, and the concerns surrounding the coronavirus, are two examples of situations where individuals would likely want access to vaccinations.

Your Committee notes that concerns have been raised about the Department of Health's current procedures, under which medical authorized exemptions to vaccinations may be granted. Your Committee believes that a study associated with medical authorized exemptions from required vaccinations, which is designed to identify and report on various procedures within the State and around the country, is a prudent way to examine this important issue.

Your Committee has amended this measure by:

- Deleting contents that would have authorized conscientious beliefs as a basis for exemption from vaccination requirements;
- (2) Requiring the Department of Health to perform a study regarding various procedures associated with medically authorized exemptions from required vaccinations, including a report on the Department's current procedures for medical authorized exemptions, best practices and procedures around the country for medical authorized exemptions, and requirements in other states for the human papillomavirus vaccine;
- (3) Requiring the Department of Health to submit a report to the Legislature prior to the Regular Session of 2021;
- (4) Changing its effective date to July 1, 2050, to encourage further discussion; and



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(5) Making technical, nonsubstantive amendments for the purposes of 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. 2459, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2459, H.D. 1, and be referred to your Committee on Judiciary.

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

John M. M



State of Hawaii House of Representatives The THIRTIETH Legislature



Record of Votes of the Committee on Health

Bill/Resolution No.: HB 7459	Committee Referral: M.T.JUD, FIN		Date: 2 - 6 · 20		
The committee is reconsidering its previo					
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. MIZUNO, John M. (C)					
2. KOBAYASHI, Bertrand (VC)			2. 2.		
3. BELATTI, Della Au					
5. DELATTI, Dena Au					
4. NAKAMURA, Nadine K.		ng an ang anana an ini an		nanga sa mataka sa kakamataka mataka ina kakamatang	
5. SAN BUENAVENTURA, Joy A.					
6. SAY, Calvin K.Y.					
7. TOKIOKA, James Kunane					
7. TOXTOXA, James Kunane					
8. WARD, Gene			₽ fk	an <u>an taa haanaa ka</u> nga da	
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TOTAL (8)	Å	÷	2	¢	
The recommendation is: Adopted Not Adopted If joint referral,					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					

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