

STAND. COM. REP. NO.

033

Honolulu, Hawaii

FEB 19 , 2021

RE: H.B. No. 576

H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 576, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE,"

begs leave to report as follows:

The purpose of this measure is to require that abortions be performed in a licensed hospital and to authorize licensed physician assistants and advanced practice registered nurses to perform aspiration abortions.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women, LGBT Caucus and Women's Caucus of the Democratic Party of Hawai'i, AAUW of Hawaii, Hawaii Section of the American College of Obstetricians and Gynecologists, Hawai'i Women's Coalition, Common Cause Hawaii, Hudson Law, American Civil Liberties Union of Hawai'i, Hawaii Maternal & Infant Health Collaborative, Planned Parenthood Votes Northwest and Hawaii, Save Medicaid Hawaii, Health Mothers Health Babies Coalition of Hawai'i, numerous individuals, and a petition with numerous individuals. Your Committee received testimony in opposition to this measure from the Honolulu County Republican Party, A Place for Women in Waipio, Hawaii Family Forum, Hawaii Life Alliance, and numerous individuals. Your Committee received comments on this measure from the Board of Nursing, Hawaii Medical Board, and Hawai'i State Center for Nursing.

2021-1878 HB576 HD2 HSCR HMSO



Your Committee finds that aspiration abortions are one of the most common methods of abortion for early first trimester abortions. Your Committee further finds that under existing state law, only physicians are permitted to provide aspiration abortion care, while other qualified health care providers are denied from providing this reproductive health care service. Your Committee notes that numerous studies have found no difference in abortion safety when performed by a qualified licensed health care provider other than a physician.

Your Committee further finds that the restrictions under existing law place an unnecessary burden on abortion care, which disproportionately and negatively impacts residents in rural and medically underserved areas of the State. This measure ensures that people in Hawaii can access abortion care with fewer financial and logistical barriers and stay in their respective communities to get care from trusted providers.

Your Committee has amended this measure by:

- (1) Removing physicians assistants as qualified health care providers authorized to perform aspiration abortions;
- (2) Moving provisions authorizing advanced practice registered nurses to perform aspiration abortions from Chapter 453, Hawaii Revised Statutes, relating to medicine and surgery, to a more appropriate placement in Chapter 457, Hawaii Revised Statutes, relating to nurses;
- (3) Clarifying that certain advanced practice registered nurses are authorized to perform medication abortions;
- (4) Clarifying that the abortion care authorized by this measure includes the intentional termination of a nonviable fetus in the first trimester of pregnancy;
- (5) Duplicating language regarding penalties for knowing violations of the law and right of refusal to perform as is found in the law governing abortions performed by physicians or surgeons; and
- (6) 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 Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 576, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Judiciary & Hawaiian Affairs in the form attached hereto as H.B. No. 576, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



AARON LING JOHANSON, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 576 HD1	Committee Referral: HHH, CPC, JHA	Date: 2/17/21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. JOHANSON, Aaron Ling (C)	✓			
2. KITAGAWA, Lisa (VC)		✓		
3. AQUINO, Henry J.C.	✓			
4. HAR, Sharon E.				✓
5. HASHEM, Mark J.	✓			
6. KONG, Sam Satoru			✓	
7. MIZUNO, John M.	✓			
8. MORIKAWA, Dee	✓			
9. ONISHI, Richard H.K.	✓			
10. TARNAS, David A.	✓			
11. MATSUMOTO, Lauren			✓	
TOTAL (11)	7	1	2	1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u><i>Dee Morikawa</i></u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				