Testimony of the Hawaii Medical Board

Before the Senate Committee on Commerce and Consumer Protection And Senate Committee on Judiciary Friday, March 4, 2022 10:30 a.m. Via Videoconference

On the following measure: S.B. 2241, S.D. 1, RELATING TO MEDICAL CARE OF MINORS

Chair Rhoads and Members of the Committee:

My name is Ahlani Quiogue, and I am the Executive Officer of the Hawaii Medical Board (Board). The Board appreciates the intent of and limits its comments to provisions of the bill that authorize physician assistants to render medical care and services to minors.

The purposes of this bill are to: (1) permit minors to consent to medical care related to the diagnosis or treatment of HIV or the prevention of HIV; (2) provide that a minor, under certain circumstances, shall not be liable for payment for treatment or prevention of HIV; (3) provide that a health insurer of a minor's parent, guardian, custodian, or spouse shall not notify the parent, guardian, custodian, or spouse of the minor's treatment or prevention of HIV; and (4) authorize physician assistants, in addition to physicians and advanced practice registered nurses, to render medical care and services to minors.

The Board appreciates the intent of this bill as it broadens physician assistants' scope of practice to provide greater access to care for the citizens of this State. The Board recognizes the important role physician assistants have in healthcare and believes this bill is a step in the right direction.

Thank you for the opportunity to testify on this bill.

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813 Phone: (808) 489-9549 Web site: http://www.hysn.org E-mail: info@hysn.org

Carole Gruskin, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters Hawaii **Big Island Substance Abuse** Council **Bobby Benson Center** Child and Family Service Coalition for a Drug Free Hawaii Collins Consulting, LLC **Domestic Violence Action Center** EPIC, Inc. Family Programs Hawaii Family Support Hawaii Friends of the Children's Justice Center of Maui Get Ready Hawai'i Hale Kipa, Inc. Hale 'Opio Kauai, Inc. Hawaii Children's Action Network Hawaii Health & Harm Reduction Center Ho`ola Na Pua Kahi Mohala Kokua Kalihi Valley Kokua Ohana Aloha (KOA) Maui Youth and Family Services Na Pu'uwai Molokai Native Hawaiian Health Care Systems P.A.R.E.N.T.S., Inc. Parents and Children Together (PACT) PHOCUSED PFLAG - Kona Big Island Planned Parenthood of the Great Northwest and Hawaiian Islands **Residential Youth Services** & Empowerment (RYSE) Salvation Army Family Intervention Services Sex Abuse Treatment Center Susannah Wesley Community Center The Catalyst Group

March 1, 2022

To: Senator Karl Rhoads, Chair, And members of the Committee on Judiciary

TESTIMONY IN SUPPORT OF SB 2241 SD 1 RELATING TO MEDICAL CARE FOR MINORS

Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, support SB 2241 SD 1 Related to Medical Care for Minors

Currently minors may consent for a variety of services related to sexual health but are not allowed to access medications to prevent HIV. Minors who are at risk for HIV are often unwilling or unable to talk to their parents about their risk behaviors. This bill will enable minors to access potentially life-saving treatment.

Thank you for this opportunity to testify.

Sincerely,

Justito F. Clark

Judith F. Clark, MPH Executive Director

<u>SB-2241-SD-1</u> Submitted on: 2/28/2022 6:33:02 PM Testimony for JDC on 3/4/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Mike Golojuch, Sr.	Testifying for Rainbow Family 808	Support	No

Comments:

Rainbow Family 808 is in strong support of SB2241. Please pass this bill. Thank you.

Mike Golojuch, Sr., Secretary/Board Member, Rainbow Family 808



DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Room 118 • Honolulu, Hawaii 96813 Ph. (808) 586-8121 (V) • Fax (808) 586-8129

March 4, 2022

TESTIMONY TO THE SENATE COMMITTEE ON JUDICIARY

Senate Bill 2241, Senate Draft 1 – Relating to Medical Care for Minors

The Disability and Communication Access Board (DCAB) supports Senate Bill 2241, Senate Draft 1. This bill permits minors to consent to medical care related to the diagnosis or treatment of HIV or the prevention of HIV.

Minors may not wish to inform their parents or legal guardians that they are sexually active or engage in other sexual behaviors that puts them at risk for HIV. With this bill, minors who want or need medical care services can consent to receive medical care or preventive care. This bill will decrease the number of minors acquiring HIV and increase the number of minors to receive HIV treatments to lead long productive lives.

Thank you for the opportunity to provide testimony.

Respectfully submitted,

Kristine Pagano

KIRBY L. SHAW Executive Director



Alliance Advocates - Hawai'i

To:	Hawai'i State Senate Committee on Judiciary
Hearing Date/Time:	Friday, March 4 th , 2022 at 10:30 am
Place:	Hawai'i State Capitol, Via Videoconference
Re:	Testimony of Planned Parenthood Alliance Advocates – Hawai'i offering
	comments on SB 2241

Dear Chair Rhoads and Members of the Committees,

Planned Parenthood Alliance Advocates – Hawai'i ("PPAA") writes to provide comments on SB 2241, a bill that would allow young people to consent to medical care and services related to the diagnosis, treatment, or prevention of HIV and expand the pool of providers available to provide these services. Current Hawai'i statute allows minors to consent to treatment of HIV and other sexually-related diseases but does not allow them to have access to medications like PrEP to prevent infection. We strongly support the intent of the bill, but we have concerns about the payment structure and request the legislature find creative solutions to ensure young people get the care they need.

All young people, no matter their circumstances, deserve access to the full range of sexual and reproductive health care, including PrEP. As a medical provider, Planned Parenthood provides a safe place for young people to come for health care and medically-accurate sexual health education, often at low or no costs. We are supportive of this bill's effort to expand access to much-needed services and to provide care to young people, who often face numerous barriers when accessing health care.

As a safety net provider who provides care regardless of a patient's ability to pay, we have concerns about the bill's current ambiguity of who is responsible for payment of services. Planned Parenthood is supportive of reducing the financial burden on young people and appreciates that the bill does not leave minors on the hook for care they may be unable to afford. However, potentially placing the financial liability on health care providers, including safety net family planning providers, would be an unsustainable financial burden and ultimately put at risk our ability to provide this care. Sexual and reproductive health care providers, who provide the bulk of HIV prevention services to people with low incomes, continue to struggle with financial strain of the pandemic and the loss of Title X funding. We encourage the legislature to come up with creative solutions to ensure that young people can access no-cost preventive care without placing the financial burden on providers.

Thank you for this opportunity to comment on this important legislation.

Sincerely,

Rachel Kuenzi Public Policy Analyst Planned Parenthood Alliance Advocates – Hawaiʻi



To: Committee on Judiciary

Hearing Date/Time: Friday, March 4, 2022 10:30 AM

Re: Testimony in Strong Support of SB 2241 SD1

From: Heather Lusk, Hawaii Health and Harm Reduction Center

Dear Chair Rhoads, Vice Chair Keohokalole and Members of the Comittee

The Hawaii Health & Harm Reduction Center (HHHRC) strongly supports SB 2241 SD1 which would give minors consent to life-saving HIV prevention medications called Pre-exposure Prophylaxis or PrEP. The Centers for Disease Control and Prevention strongly recommend PrEP as one of the most effective biomedical interventions to prevent HIV. The current HRS for minor consent does allow minors to consent to treatment of HIV and other sexually-related diseases but not have access to medications like PrEP to prevent the infections.

HHHRC's mission is to reduce harm, promote health, create wellness and fight stigma in Hawaii and the Pacific. We focus our efforts on those disproportionately affected by social determinants of health, including but not limited to: people living with and/or affected by HIV, hepatitis, substance use, and the transgender, LGBQ and the Native Hawaiian communities.

HHHRC is one of the largest PrEP medical providers in the state and has had to turn away 17 year olds and other minors who wanted to learn about these effective prevention strategies. During the COVID-19 pandemic, there have been HIV outbreaks on the continent. Passing this bill is one step to ensuring that Hawaii doesn't experience HIV infections that could have been prevented.

Thank you for the opportunity to testify.

Heather Lusk, Executive Director, Hawaii Health and Harm Reduction Center



LATE

Government Relations

Testimony of Jonathan Ching Government Relations Director

Before: Senate Committee on Judiciary The Honorable Karl Rhoads, Chair The Honorable Jarrett Keohokalole, Vice Chair

> March 4, 2022 10:30 a.m. Via Videoconference

Re: SB 2241, SD1, Relating to the Medical Care for Minors

Chair Rhoads, Vice Chair Keohokalole, and committee members, thank you for this opportunity to provide testimony on SB 2241, SD1, which permits minors to consent to medical care related to the diagnosis or treatment of HIV or the prevention of HIV and authorizes physician assistants, in addition to physicians and advanced practice registered nurses, to render such treatment to minors.

Kaiser Permanente Hawai'i SUPPORTS SB 2241, SD1.

Kaiser Permanente Hawai'i is Hawai'i's largest integrated health system that provides care and coverage for approximately 265,000 members. Each day, more than 4,400 dedicated employees and more than 650 Hawai'i Permanente Medical Group physicians and providers come to work at Kaiser Permanente Hawai'i to care for our members at our 20 medical facilities, including Moanalua Medical Center, providing high-quality care for our members and delivering on our commitment to improve the health of the 1.4 million people living in the communities we serve.

SB 2241, SD1 allows minors to consent to HIV treatment and prevention services and is a significant step in our statewide Hawai'i 2 Zero (H20) cure initiative, which aims to reduce HIV/AIDS cases down to zero — zero new infections, zero new deaths and zero stigma caused by HIV. Adolescents and young adults (aged 13-29) accounted for 21% of new HIV diagnoses in 2019¹ and are the least likely of any age group to be in treatment or have a suppressed viral load. Addressing HIV infection and spread among adolescents and young adults requires that they have access medical care to get the information and tools they need to make healthy decisions, reduce their risk factors, and get treatment. However, it is well established that minors may avoid seeking care for sexually transmitted diseases if they must involve their parents or guardian.² We support SB 2241, SD1 because it allows minors age fourteen to seventeen to obtain such services without

¹ Centers for Disease Control and Prevention (2018) 'Diagnoses of HIV Infection in the United States and Dependent Areas, 2019'.

² Guttmacher Institute (2000) 'Minors and the Right to Consent to Health Care'.



parent or guardian involvement. SB 2241, SD1 also adds Physician Assistants to the healthcare providers who may treat minors, which further reduces barriers to timely, quality care for our state's youth.

Mahalo for the opportunity to testify on this important measure.

711 Kapiolani Boulevard Honolulu, Hawaii 96813 Office: (808) 432-5210 Facsimile: (808) 432-5906 Email: jonathan.l.ching@kp.org

<u>SB-2241-SD-1</u> Submitted on: 2/28/2022 8:09:12 PM Testimony for JDC on 3/4/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Ayman El-Swaify	Individual	Oppose	No

Comments:

I am writing to express my opposition to SB2241. I do not understand why it would make sense to circumvent the rights of legal guardians and parents to make health care decisions for their minor dependents.

Submitted on: 2/28/2022 10:47:26 PM Testimony for JDC on 3/4/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gerard Silva	Individual	Oppose	No

Comments:

The parents Have to be Notified of any Medical treament and with out there permision nothing can take place. If the school or the State try to do any thing without permision they should Be helled Liable and charged and Aressted By the police or the Parents!!!

<u>SB-2241-SD-1</u> Submitted on: 2/28/2022 11:11:00 PM Testimony for JDC on 3/4/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Thaddeus Pham	Individual	Support	No

Comments:

Aloha Chair Rhoads, Vice Chair Keohokalole, and Members of the JDC Committee,

As a public health professional and concerned member of the LGBTQIA+ community, I strongly support SB2241 SD1 which would allow minors to consent to life saving HIV prevention medications. While 14-17 year olds in Hawaii can currently consent to most sexual health services, Pre Exposure Prophylaxis (PrEP) for HIV is not currently covered. As such, this bill will save lives and prevent HIV among our local keiki.

According to the CDC, PrEP is the most effective HIV prevention intervention we have, and young people deserve access to this medication to prevent a life-lung infection with HIV.

Please also ensure that payment for PrEP is addressed so that minors do not have it listed on their parent's insurance which they may not want to be disclosed.

Thank you for investing in the health and safety of our young people!

With gratitude,

Thaddeus Pham (he/him)

Submitted on: 3/1/2022 3:57:14 PM Testimony for JDC on 3/4/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kayla Kamisato	Individual	Support	No

Comments:

COMMITTEE ON JUDICIARY

Senator Karl Rhoads, Chair, Jarett Keohokalolei, Vice Chair

SB 2241 SD1 RELATING TO MEDICAL CARE FOR MINORS

March 4, 2022

10:30 a.m. Via Videoconference

Chair Rhoads, Vice Chair Keohokalolei, and committee members, thank you for this opportunity to provide testimony in **strong support of SB 2241**. My name is Kayla Kamisato and I am a social work student at the University of Hawai'i at Mānoa.

This bill would allow minors to consent to HIV prevention interventions without needing to consult parents or guardians first. Minors' unwillingness to disclose personal information or reasoning about their risk behaviors could ultimately be harmful to their protection and health. Not to mention, some may not have parents or guardians to turn to in these situations. By providing the right for these minors to self govern and consent to medical care on their own could potentially be life saving. With that said, I respectfully ask to avoid listing services on parents' or guardians' health insurance for this could be problematic to the minor who wants to keep information disclosed.

SB 2241 also includes payment coverage for medical care and preventative care which includes (PrEP) Pre-Exposure Prophylaxis. PrEP is currently not covered and providing access to it could save lives. According to HIV.gov, there are two FDA-approved daily oral medications for PrEP. There is also a long-acting injectable form of PrEP that has been approved. These are highly effective and reduces the risk of getting HIV from sex by about 99% when taken as prescribed and about 74% among people who inject drugs.

Our minors deserve to take charge of their lives and have access to the resources needed to keep them safe and healthy.

Once again, thank you for this opportunity to testify on this important measure.

Kayla Kamisato

Submitted on: 3/2/2022 3:38:24 PM Testimony for JDC on 3/4/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Cullen Koshimizu	Individual	Support	No

Comments:

Dear Chair Keohokalole, Chair Baker and members of the committee

I strongly support SB 2241 which would allow minors to consent to life saving HIV prevention medications. While 14-17 year olds in Hawaii can currently consent to most sexual health services, PrEP is not currently covered and this bill will save lives.

During my teenage/young adult years, I (to my knowledge) did not have PrEP available to me. Social media was not quite as developed, and PrEP was not an HIV prevention tool that was presented to me by peers even though I needed it.

Preparing myself to go to Diamond head clinic to get tested was always extremely stressful and something I wouldn't tell anyone that I was going to do. Year after year i had managed not to contract HIV. Now in my 30s, I know that this was purely luck. I see more and more of people my age and younger contracting HIV or coming out about their status after living with HIV for years.

At no point during my youth did I ever tell my parents what I was doing or what was going on. It was a conversation that was always overpowered by shame, guilt, disgust and making myself feel unworthy. If we all look back on our lives I'm sure there are a lot of things that we can say we would not share with our parents or would want our medical providers to as well. As a current PrEP coordinator, one of the biggest barriers is people not wanting this medication to show on their record especially when they are under their parents insurance.

I stand in support of this bill to ask why not?

Why not protect our young adults?

Why not protect their future from something life altering that can be prevented?

Lets make a difference together.

Submitted on: 3/2/2022 4:17:02 PM Testimony for JDC on 3/4/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Amanda Martinez	Individual	Support	No

Comments:

Dear Chair Rhoads, Vice Chair Keohokalole and members of the committee,

I strongly support SB 2241 SD1 which would allow minors to consent to life saving HIV prevention medications. While 14-17 year olds in Hawaii can currently consent to most sexual health services,

PrEP is not currently covered and this bill will save lives.

According to the CDC, PrEP is the most effective HIV prevention intervention we have and young people deserve access to this medication to prevent a life-lung infection with HIV.

Please also continue to ensure that payment for PrEP is addressed so that minors do not have it listed on their parent's insurance which they may not want to be disclosed.

Thank you for investing in the health and safety of our young people!

Sincerely,

Amanda Martinez, MPH

Submitted on: 3/2/2022 4:17:26 PM Testimony for JDC on 3/4/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Breanna Zoey	Individual	Support	No

Comments:

Dear Chair Rhoads, Vice Chair Keohokalole and members of the committee,

I strongly support SB 2241 SD1 which would allow minors to consent to life saving HIV prevention medications. While 14-17 year olds in Hawaii can currently consent to most sexual health services,

PrEP is not currently covered and this bill will save lives.

According to the CDC, PrEP is the most effective HIV prevention intervention we have and young people deserve access to this medication to prevent a life-lung infection with HIV.

Please also continue to ensure that payment for PrEP is addressed so that minors do not have it listed on their parent's insurance which they may not want to be disclosed.

Thank you for investing in the health and safety of our young people!

-Breanna Zoey (she/her)

Submitted on: 3/2/2022 6:52:19 PM Testimony for JDC on 3/4/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Nikos Leverenz	Individual	Support	No

Comments:

Chair Rhoads, Vice Chair Keohokalole, & Judiciary Committee Members:

I am writing in **strong support** of SB 2241, SD 1, which would permit minors to consent to medical care related to the diagnosis or treatment of HIV of the prevention of HIV. Importantly, this bill would protect the confidentiality of a minor who obtains and uses pre-exposure prophylaxis (PrEP) medication by providing that health insurers do not notify a minor's parent, guardian, or spouse regarding their use of the medication. This bill will also expand access to PrEP by authorizing physician assistants to render medical care and services to minors who are at risk of potential HIV exposure.

Mahalo for the opportunity to provide testimony.

Submitted on: 3/3/2022 6:42:41 AM Testimony for JDC on 3/4/2022 10:30:00 AM

_	Submitted By	Organization	Testifier Position	Remote Testimony Requested
	Erin Furuichi	Individual	Support	No

Comments:

Dear Chair Rhoads, Vice Chair Keohokalole and members of the committee,

I strongly support SB 2241 SD1 which would allow minors to consent to life saving HIV prevention medications. While 14-17 year olds in Hawaii can currently consent to most sexual health services,

PrEP is not currently covered and this bill will save lives.

According to the CDC, PrEP is the most effective HIV prevention intervention we have and young people deserve access to this medication to prevent a life-lung infection with HIV.

Please also continue to ensure that payment for PrEP is addressed so that minors do not have it listed on their parent's insurance which they may not want to be disclosed.

Thank you for investing in the health and safety of our young people!

Sincerely, Erin Furuichi

Submitted on: 3/3/2022 9:16:37 AM Testimony for JDC on 3/4/2022 10:30:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Linda Kim	Individual	Support	No

Comments:

Dear Chair Rhoads,

Vice Chair Keohokalole and members of the committee,

I strongly support SB 2241 SD1 which would allow minors to consent to life saving HIV prevention medications. While 14-17 year olds in Hawaii can currently consent to most sexual health services,

PrEP is not currently covered and this bill will save lives.

According to the CDC, PrEP is the most effective HIV prevention intervention we have and young people deserve access to this medication to prevent a life-lung infection with HIV.

Please also continue to ensure that payment for PrEP is addressed so that minors do not have it listed on their parent's insurance which they may not want to be disclosed.

As the APRN at the Hale Ho'omalu Juvenile Detention Center, I see first hand the number of youths who test positive for STI's. Much more than one might think. Youth being able to use PrEP is SO important to protect their health. Youth 14 and older can already consent to their own treatment for sexual health. This would expand their rights to include the right to this potentially life-saving prevention.

Thank you for investing in the health and safety of our young people! Your support is vital!

Sincerely,

Linda Kim

Submitted on: 3/3/2022 10:05:25 AM Testimony for JDC on 3/4/2022 10:30:00 AM

_	Submitted By	Organization	Testifier Position	Remote Testimony Requested
	Willie Jay Nicolas	Individual	Support	No

Comments:

Dear Chair Rhoads, Vice Chair Keohokalole and members of the committee,

As an outreach worker and a member of the LGBTQIA+ community, I strongly support SB 2241 SD1 which would allow minors to consent to life saving HIV prevention medications, such as Pre-Exposure Prophylaxis (PrEP).

According to the CDC, PrEP is the most effective HIV prevention intervention we have and young people deserve access to this medication to prevent a life-long infection with HIV.

Please also continue to ensure that payment for PrEP is addressed so that minors do not have it listed on their parent's insurance which they may not want to be disclosed.

Adolescents who are at high-risk for HIV often feel reluctant to discuss these matters with their guardians due to sociocultural factors. Let us empower and improve the well-being of Hawaii's youth by allowing them access to PrEP without additional barriers.

Sincerely,

Willie Jay Nicolas

Submitted on: 3/3/2022 7:01:54 AM Testimony for JDC on 3/4/2022 10:30:00 AM

Submit	ted By	Organization	Testifier Position	Remote Testimony Requested
Kunane	Dreier	Individual	Support	No

Comments:

Dear Chair Rhoads, Vice Chair Keohokalole and members of the committee,

I strongly support SB 2241 SD1 which would allow minors to consent to life saving HIV prevention medications. While 14-17 year olds in Hawaii can currently consent to most sexual health services,

PrEP is not currently covered and this bill will save lives.

According to the CDC, PrEP is the most effective HIV prevention intervention we have and young people deserve access to this medication to prevent a life-lung infection with HIV.

Please also continue to ensure that payment for PrEP is addressed so that minors do not have it listed on their parent's insurance which they may not want to be disclosed.

Thank you for investing in the health and safety of our young people!

Sincerely,

Kunane Dreier



Senator Karl Rhoads, Chair Senator Jarrett Keohokalole, Vice Chair Judiciary Committee

RE: SB2241 SD1 Position: IN SUPPORT

Honorary Committee Members,

My name is Christina Reinhofer. I am an MSW Candidate at the Thompson School of Social Work & Public Health. I was born and raised here on O'ahu, Hawai'i, spending most of my 27 years in Waimanalo. I am testifying in favor of SB2241 SD1 as an advocate for body autonomy and all-around healthcare access.

HIV-related stigma is a significant barrier to all facets of HIV prevention and treatment, including delayed testing and getting actual care. Ultimately, they might feel more inclined to withhold their status - despite having had a positive status confirmed. HIV stigma can adversely affect psychosocial health and lead to depression and even a lower quality of life. Giving youth the choice to be able to have a say in who they decide to inform of their sensitive and private health information is essential in protecting themselves. We don't know everyone's family dynamic; what if they are faced with penalties instead of empathy if they disclose their HIV concerns to someone at home?

We must take into consideration the potential psychosocial repercussions and obstacles youth might face. With SB2241 SD1, we would allow our youth to *safely* access HIV medical care on their own accord without having to worry about outside influences.

Thank you for allowing me to testify.

Best, Christina Reinhofer