

STAND. COM. REP. NO.

28

Honolulu, Hawaii

JAN 31 , 2025

RE: H.B. No. 731
H.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Madame:

Your Committee on Human Services & Homelessness, to which was referred H.B. No. 731 entitled:

"A BILL FOR AN ACT RELATING TO MINORS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize a physician, upon consultation with a minor patient who indicates that the minor was the victim of a sexual offense, with the consent of the minor patient, to perform customary and necessary examinations to obtain evidence of the sexual offense and may prescribe for and treat the patient for any immediate condition caused by the sexual offense; and
- (2) Provide that the consent of the parent, parents, or legal guardian of a minor offender who has been committed to the Hawaii Youth Correctional Facilities shall not be necessary in order to authorize hospital, medical, mental health, dental, emergency health, or emergency surgical care.

Your Committee received testimony in support of this measure from the Office of Youth Services; Hawai'i Association of Professional Nurses; and one individual. Your Committee received

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testimony in opposition to this measure from The Sex Abuse Treatment Center. Your Committee received comments on this measure from the Department of the Attorney General; Hawai'i State Center for Nursing; and SAFE Team Maui County.

Your Committee finds that minors who are victims of sexual offenses require access to necessary and timely trauma-informed care. By safeguarding minors' rights and streamlining access to specialized care, such as sexual assault forensic examinations, this measure strengthens Hawaii's ability to address the needs of vulnerable youth and reduce the barriers to justice and recovery.

Your Committee has amended this measure by:

- (1) Clarifying that a licensed health care provider properly trained in the medical forensic care of a patient who has experienced sexual assault or abuse, rather than a physician, may perform the customary and necessary examinations under this measure;
- (2) Clarifies provisions related to civil and criminal liability for health care providers;
- (3) Deleting language regarding parental or guardian consent for treatment of minors in the custody of the Hawaii Youth Correctional Facilities, as the Director of the Office of Youth Services already has the power to consent to medical and other health care services for youth in custody;
- (4) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (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 Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 731, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 731, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



Respectfully submitted on
behalf of the members of the
Committee on Human Services &
Homelessness,



LISA MARTEN, Chair



