

Honolulu, Hawaii

FEB 14 2025

RE: S.B. No. 1150

S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committees on Health and Human Services and Commerce and Consumer Protection, to which was referred S.B. No. 1150 entitled:

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

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Expand the protections established under Act 2, Session Laws of Hawaii 2023, to include gender-affirming health care services; and
- (2) Clarify jurisdiction under the Uniform Child-Custody Jurisdiction and Enforcement Act for cases involving children who obtain gender-affirming health care services.

Your Committees received testimony in support of this measure from the Department of the Attorney General; one member of the Hawai'i County Council; Democratic Party of Hawai'i; Rainbow Family 808; QueerDoc; Hawai'i State LGBTQ+ Commission; Indivisible Hawai'i; Pride at Work-Hawai'i; Hawaii State AFL-CIO; AAUW of Hawai'i; Hawai'i Association of Professional Nurses; Qwaves Media; Stonewall Caucus of the Democratic Party of Hawai'i; Hawai'i Health & Harm Reduction Center; Education Caucus of the Democratic Party of Hawai'i; Imua Alliance; Maui Law LLLC; Save Medicaid Hawaii; American Academy of Pediatrics-Hawaii Chapter; Hawai'i Public



Health Institute; PFLAG O'ahu; Planned Parenthood Alliance Advocates-Hawai'i; Hawai'i Nurses' Association-OPEIU Local 50; ACLU of Hawai'i; Lambda Law Hawai'i; UNITE HERE Local 5; Labor Caucus of the Democratic Party of Hawai'i; Evolve Health, LLC; IATSE Local 665; Sound Mind Psychiatry LLC; Kumukahi Health + Wellness; Hawai'i State Center for Nursing; and numerous individuals.

Your Committees received testimony in opposition to this measure from the Libertarian Party of Hawaii, Hawaii Family Forum, Free Citizens of Manalua, and numerous individuals.

Your Committees received comments on this measure from the Judiciary and Office of Information Practices.

Your Committees find that every person in the State, regardless of their gender identity, should have access to the health care services they need free from fear, discrimination, and political interference. Your Committees further find that safeguarding access to health care also ensures economic stability and fosters equity and inclusion, values that align with Hawaii's longstanding cultural principles, and the labor community's commitment to justice. This measure provides significant legal and civil protections to individuals and entities providing and receiving gender-affirming care.

Your Committees have amended this measure by:

- (1) Deleting language that would have allowed the presence of the child in the State for the purpose of obtaining gender-affirming health care services to be sufficient to establish jurisdiction for a court of the State to make an initial child-custody determination;
- (2) Deleting language that would have authorized a court of the State to have temporary emergency jurisdiction over a child present in the State if it is necessary in an emergency to protect the child because the child has been unable to obtain gender-affirming health care services;
- (3) Inserting an effective date of December 31, 2050, to encourage further discussion; and



- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1150, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1150, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Health and Human Services and Commerce and Consumer Protection,



JARRETT HUHOKALO, Chair



JOY A. SAN BUENAVENTURA, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* SB1150	Committee Referral: THIS/CPN, JDC/WAM	Date: 2/12/25		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.				✓
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton			✓	
TOTAL	3	0	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes