STAND. COM. REP. NO. 3068

Honolulu, Hawaii

MAR 0 6 2026

RE: S.B. No. 3133
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred S.B. No. 3133, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PREVENTIVE MEDICINE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

(1) Establish the Hawaii Preventive Services Advisory Committee (Advisory Committee) and authorize the Department of Health to issue preventive service recommendations;

(2) Require health insurance coverage without cost-sharing for Department of Health-recommended clinical preventive services; and

(3) Provide immunity for:

(A) The Advisory Committee, Advisory Committee members, and the Department of Health; and

(B) Health care providers' and facilities' provision of recommended clinical preventive services.

Your Committees received testimony in support of this measure from the Department of Health, State Health Planning and

Development Agency, Healthcare Association of Hawaii, Hawaii Medical Association, Hawai'i Academy of Nutrition and Dietetics, and two individuals.

Your Committees received testimony in opposition to this measure from nine individuals.

Your Committees received comments on this measure from the Insurance Division of the Department of Commerce and Consumer Affairs.

Your Committees find that preventive services reduce health care costs and contribute to reducing avoidable emergency department use, progression of disease, and preventable disease complications over time. However, long-standing, evidence-based, and scientifically validated clinical practice guidelines for preventive medicine are increasingly at risk due to shifts in federal policies and priorities that depart from recommendations supported by the body of medical evidence. These shifts in federal policy and priorities may also restrict access to evidence-based immunizations and other preventive services. Establishing a process by which the Department of Health may continue to issue a unified set of evidence-based recommendations for immunizations and other preventive services would provide state-level guidance for health care providers and patients and maintain continuity. This measure will ensure that the residents of the State will continue to have full access to preventive services.

Your Committees note that existing law provides immunity under certain conditions for members of boards, commissions, and committees, including the Advisory Committee contemplated by this measure, for the performance of their duties. However, this measure extends special immunity that is unnecessary.

Accordingly, your Committees have amended this measure by:

(1) Deleting redundant language that would have specified that the advisory board members of the Hawaii Preventive Services Advisory Committee shall not be deemed officers or employees of the State;

(2) Deleting unnecessary language that would have provided immunity for the Hawaii Preventive Services Advisory Committees, its members, or the Department of Health for any act or omission done in good faith in the performance of their duties in the exercise of their functions; and

(3) 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 Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3133, S.D. 1, as amended herein, and recommend that it pass Third Reading in the form attached hereto as S.B. No. 3133, S.D. 2.

Respectfully submitted on behalf of the members of the Committees on Judiciary and Ways and Means,

DONOVAN M. DELA CRUZ, Chair

KARL RHOADS, Chair

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 3133 SD1	HHS/CPN, JDC/WAM	3/4/26

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☑ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
GABBARD, Mike (VC)	✓			
CHANG, Stanley	✓			
SAN BUENAVENTURA, Joy A.	✓			
AWA, Brenton			✓	
TOTAL	4	—	1	—

Recommendation: ☑ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only one measure per Record of Votes

Revised: 01/02/26

The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:
SB3133, SD1	HHS/CPN, JDC/WAM	03/04/2026

☐ The Committee is reconsidering its previous decision on this measure.

If so, then the previous decision was to: _____

The Recommendation is:

☐ Pass, unamended 2312 ☒ Pass, with amendments 2311 ☐ Hold 2310 ☐ Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
DECOITE, Lynn	X			
ELEFANTE, Brandon J.C.	X			
HASHIMOTO, Troy N.	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
RICHARDS, III, Herbert M. "Tim"	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
TOTAL	13	0	0	0

Recommendation: ☒ Adopted ☐ Not Adopted

Chair's or Designee's Signature:

Distribution: Original — File with Committee Report; Yellow — Committee; Pink — Drafting Agency

*Only one measure per Record of Votes

Revised: 01/02/26