

Testimony of the Board of Pharmacy

**Before the
Senate Committee on Health and Human Services
Friday, January 30, 2026
3:00 p.m.
Via Videoconference**

**On the following measure:
S.B. 2038, RELATING TO MEDICATION LABELING**

Chair San Buenaventura and Members of the Committee:

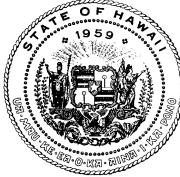
My name is Christopher Fernandez, Executive Officer of the Board of Pharmacy (Board). While the Board appreciates the intent of this measure, it has not yet had the opportunity to meet and take a formal position. The Board offers the following comments.

This bill authorizes certain pregnant persons to receive abortion medication with labeling that excludes their name and other identifying information.

The Board has concerns regarding consumer safety and the implementation of this measure at pharmacies, particularly with respect to existing equipment and operational limitations.

Thank you for the opportunity to testify on this bill.

JOSH GREEN, M.D.
GOVERNOR OF HAWAII
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII'



KENNETH S. FINK, MD, MGA, MPH
DIRECTOR OF HEALTH
KA LUNA HO'OKELA

STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on SB2038
RELATING TO MEDICATION LABELING**

SENATOR JOY A. SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Hearing Date, Time and Room Number: 1/30/2026, 3:00 pm, Room 224

- 1 **Fiscal Implications:** None.
- 2 **Department Position:** The Department of Health ("Department") offers comments on this measure.
- 4 **Department Testimony:** The Environmental Health Services Division, Food and Drug Branch ("EHSD-FDB") provides the following testimony on behalf of the Department:
 - 6 SB2038 authorizes the dispensing of abortion care medication with a label that does not provide identifying information, including the name of the patient and the name of the practitioner or seller dispensing the medication. SB2038 also prohibits the Department from inspecting practitioner records of patients receiving these medications without a subpoena.
 - 10 The mission of the Department is to protect and improve the health and environment for all people in Hawaii. Removing potential barriers and facilitating the public's access to approved medication supports the Department's mission.
 - 13 The Department notes that requiring a subpoena to inspect practitioner records may affect the Department's ability to effectively investigate an adverse event and prevent a potential illness outbreak. In the rare event where a patient becomes ill due to taking

1 contaminated medication, either by improper manufacturing practices, storage, handling, or
2 other related factors, the Department's efforts to investigate will be hampered. In 2025, there
3 were approximately thirty national drug recalls issued by the U.S. Food and Drug Administration
4 due to label errors, fungal contamination, microbial contamination, and other issues. Time is of
5 the essence for the Department to identify the manufacturer of the medication, the
6 distributors, specific lot numbers, and other relevant information to issue a recall notice and
7 ensure that other patients prescribed the same medication are informed of the potential harm.
8 It may take over two weeks to obtain a subpoena, and other patients may be exposed to harm
9 during the delay.

10 The Department respectfully requests that an exemption to the subpoena requirement,
11 specifically in the instance of investigating an illness or adverse event, be incorporated into this
12 measure.

13 **Offered Amendments:** Additions appear as underlined.

14 "(C) The records described in subparagraph (B) shall be subject to the inspection of the
15 department or its agents at all times; provided that the inspection of records for medication
abortion care shall require a subpoena issued by a court of competent jurisdiction, unless the
17 department is investigating an illness or adverse event:"

18 Thank you for the opportunity to testify on this measure.



HAWAI‘I CIVIL RIGHTS COMMISSION

KOMIKINA PONO KIWILA O HAWAI‘I

830 PUNCHBOWL STREET, ROOM 411, HONOLULU, HI 96813 • PHONE: (808) 586-8636 • FAX: (808) 586-8655 • TDD: (808) 586-8692

Friday, January 30, 2026 3:00 p.m.
Conference Room 224 & Videoconference
State Capitol, 415 South Beretania Street

To: SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair
Senator Angus L.K. McKelvey, Vice Chair

From: Alphonso Braggs, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. 2038 Relating to Medication Labeling
Testimony in SUPPORT

The Hawai‘i Civil Rights Commission (HCRC) carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5. HCRC has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment (Chapter 378, Part I, HRS), housing (Chapter 515, HRS), public accommodations (Chapter 489, HRS), and access to state and state-funded services (HRS § 368-1.5).

Senate Bill 2038 Protects the identity/name of medical practitioners dispensing medication abortion care and the identity/name of the person for whom the drug was prescribed.

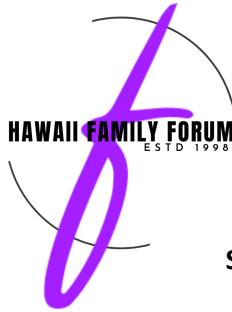
This bill aligns with Article 1, Section 6 of the Hawai‘i Constitution which contains one of the strongest explicit privacy protections in the United States. Article 1 Section 6 establishes an individual right to privacy and requires the government to justify any intrusion.

HCRC supports this bill as HCRC has jurisdiction over protecting employees from adverse actions based on the employee's reproductive health decisions, as well as tenants from gender discrimination from their landlords in this context. While the HCRC does not have jurisdiction over medication labeling, this bill extends protection into the workplace and housing. Treating reproductive-health information as sensitive data adds an extra layer of protection in situations where an employer or landlord may inadvertently encounter such medication and take adverse action because of what is on the label. This law not only applies in isolation in medical settings, but to any situation where this information may be exposed such as a pill bottle label visible in a workplace or apartment. Landlords often see medication labels during maintenance visits and shared trash areas. It is not farfetched for coworkers or supervisors to visit an employee's cubicle and find sensitive information there.

S.B. 2038 would also incidentally protect reproductive healthcare practitioners, who may be under scrutiny.

Hawai'i has a proud history of supporting equal access to healthcare as the first state in the union to legalize abortion at the request of a pregnant person on March 13, 1970, three years prior to Roe V. Wade. S.B. 2038 continues Hawai'i's history of reproductive autonomy in healthcare decisions.

Mahalo for the opportunity to testify in support of S.B. 2038.



Submitted Online: Thursday, January 29, 2026

TO: Senate Committee on Health & Human Services
Senator Joy San Buenaventura, Chair
Senator Angus McKelvey, Vice Chair

FROM: Eva Andrade, President

RE: Opposition to SB 2038 Relating to Medication Labeling

Thank you for the opportunity to submit testimony on SB 2038. Hawai'i Family Forum is a nonprofit, pro-family education organization committed to the well-being of women, families, and communities across our state. While SB 2038 is presented as a technical change to prescription labeling laws, we are concerned that its broader impact could negatively affect patient safety, transparency, and public trust in Hawai'i's healthcare system.

At its core, SB 2038 creates special labeling exemptions for abortion medications that do not apply to other prescription drugs. These exemptions allow abortion drugs to be dispensed without standard identifying information, such as the pharmacy, prescriber, or contact details. Long-standing labeling requirements exist to protect patients and ensure that responsibility is clear when complications arise. Removing these safeguards raises serious concerns, particularly for women who may experience adverse reactions or require emergency care.

Medication abortion is not without medical risks. In emergency situations, doctors and first responders rely on accurate medication information to provide timely and appropriate treatment. When critical details are missing or obscured, emergency care may be delayed, increasing the risk of preventable harm. From a community perspective—especially in rural areas and on neighbor islands where access to emergency services may already be limited—this lack of transparency is deeply concerning.

SB 2038 also limits regulatory oversight by making it more difficult to review abortion-related records. Transparency and accountability are essential components of a trustworthy healthcare system. These principles are not about punishment; they exist to protect patients, support informed policymaking, and maintain public confidence. It is unclear why abortion medications alone should be treated differently from other drugs when it comes to oversight and disclosure.



SB2038 Relating to Medication Labeling
Page Two

Beyond the immediate policy concerns, SB 2038 sets a troubling precedent. If standard safeguards can be set aside for one controversial medical practice, it raises questions about whether similar exceptions could be applied elsewhere in the future. Healthcare policy should be guided by consistency, clarity, and a commitment to patient-centered protections.

For these reasons, we respectfully urge the Committee to oppose SB 2038 and instead support policies that prioritize patient safety, transparency, and accountability for the benefit of women, families, and communities across Hawai'i.

Mahalo for the opportunity to share these concerns.



January 29, 2026

TESTIMONY TO THE SENATE COMMITTEE ON HEALTH and HUMAN SERVICES

For Hearing on Friday, January 30, 2026
3:00PM, Conference Room 224

By: Stacey Jimenez
Executive Director, A Place for Women in Waipio

**Re: Senate Bill No. 2038
Relating to Medication Labeling**

Dear Chairperson Senator Joy A. San Buenaventura, Vice Chair Senator Angus L.K. McKelvey, and Members of the Committee on Health and Human Services:

Thank you for the opportunity to testify **IN OPPOSITION to SB2038.**

I am the Executive Director of A Place for Women in Waipio. We offer an abortion recovery program for those healing from abortion-related harm and medical services for women seeking evidence-based information before making a pregnancy decision.

I strongly oppose SB 2038. This bill is more than a labeling tweak—it removes essential patient safeguards, reduces transparency, and prioritizes providers over women.

Key concerns:

Weakens prescription labeling standards. It allows abortion drugs to omit pharmacy, prescriber, and contact details, replacing them with generic placeholders. These identifiers exist to protect patients and ensure accountability. Removing them for one class of medication creates a dangerous exception.

Compromises patient safety. Complete information enables rapid emergency response to complications like severe bleeding or infection. Anonymized labels could delay care, hinder defect tracking, and increase preventable risks.

Creates unequal treatment. Abortion medications receive special exemptions not applied to any other prescription drugs, undermining consistent, fair healthcare regulation.

Erodes accountability and oversight. By limiting access to abortion-related records (requiring subpoenas), the bill shields providers from review, making it harder to investigate harm, coercion, or inadequate screening.

Increases vulnerability to abuse. Anonymity can enable exploitation, including by abusive partners or sex traffickers who could procure or administer these drugs without traceable records, reducing opportunities for detection or intervention.

Harms public policy. Obscured data makes it difficult for lawmakers and health officials to evaluate outcomes and ensure policies protect women.

Sets a troubling precedent. Suspending safeguards for one procedure opens the door to similar exceptions elsewhere.

SB 2038 protects profits, not women.

From a health and human services perspective, SB 2038 lowers the standard of care for women in Hawai'i. I urge you to reject it and preserve transparent standards that safeguard all patients equally.

Thank you for your consideration.

*American College of
Obstetricians and Gynecologists
District VIII, Hawai'i (Guam &
American Samoa) Section*



TO: Committee on Health and Human Services
Sen. Joy A. San Buenaventura, Chair
Sen. Angus L.K. McKelvey, Vice Chair

DATE: Friday, January 30, 2026

PLACE: Hawaii State Capitol, Conference Room 224

FROM: Hawai'i Section, ACOG
Dr. Tiffinie R. Mercado, MD, FACOG, Chair
Dr. Ricardo A. Molero Bravo, MD, FACOG, Legislative Chair

Re: SB 2038 Relating to Medication Labeling: Abortion; Mifepristone; Medication; Pharmacy; Prescription; Health

Position: Comments

Aloha Chair, Vice Chair, and honorable Committee Members,

The American College of Obstetricians and Gynecologists, Hawai'i Section (ACOG Hawai'i), which represents physicians who are dedicated to safe, accessible abortion and reproductive healthcare throughout our state, would like to express some concerns regarding SB2058. While we greatly appreciate the intentions of the bill and think that protections against persecution for medication abortion for both patients and providers are necessary in the post-Dobbs era, we do not believe that the current bill adequately addresses several issues.

First, we are concerned that the bill as written does not adequately discuss implementation of changing labeling protocols for prescriptions. As it stands, billing and labeling software for prescribed medications is often linked and automatic. In order to ensure that omitting the name of a prescribing provider from a label does not lead to unintended consequences, such as the inability to provide reimbursement to prescribing entities, considerations for existing prescribing and billing practices in medicine ought to be taken.

As it stands, this bill will be crucial in protecting both patients and providers from states where private citizens are able to file lawsuits against persons who receive or provide abortion care, such as Texas and Idaho. Additionally, removing identifying information from prescription labels may also decrease harassment that patients and providers may receive from private citizens. However, simply removing the prescriber's name from label does not prevent law enforcement agencies from being able to track where prescriptions originated from, or from finding the prescribing provider. Additional measures should be placed in order to ensure this is the case, whether this is through the current shield law that is in place for this state (HRS323J), or through an updated version of this current bill.

Mahalo for the opportunity to submit testimony and for your continued commitment to advancing equitable, evidence-based health care for the people of Hawai'i.

Respectfully submitted,

American College of Obstetricians and Gynecologists
Hawai'i Section (ACOG Hawai'i)



Protect Democracy

Move Forward

www.indivisiblehawaii.org

info@indivisiblehawaii.org

To: COMMITTEE ON HEALTH AND HUMAN SERVICES

Hearing Date/Time: Friday, January 30, 2026 3:00 PM

Place: Hawaii State Capitol, Room 224

Re: Testimony in STRONG SUPPORT/SUPPORT of SB2038

Dear Senator Joy A. San Buenaventura, Chair, Senator Angus L.K. McKelvey, Vice Chair and the Members of Committee,

Members of Indivisible Hawai'i thank you for this opportunity to testify in strong support/support of **SB 2038**, which authorizes certain pregnant persons to receive abortion medication with a label that does not bear their name and other identifying information.

Reproductive rights are under grave attack by the Trump administration, the courts, and in some states. Mifepristone is still legal and available in Hawaii but this may soon change. Republican anti-abortion officials in other states have threatened to prosecute providers and patients who are prescribed abortion medication by providers in other states.

Our Governor established a stockpile of abortion medication in 2025 to enable continued state access as needed. In 2026, we ask you to pass this bill. We must increase protections and guard the privacy of both Hawaii's patients and our prescribing providers.

Sincerely,
Indivisible Hawai'i Healthcare Team

The mission of the 14-chapter Indivisible Hawai'i Statewide Network (IHSN) is to protect Hawai'i and democracy by defending civil rights, communities and values, most importantly, Hawai'i's Constitutionally protected spirit of Aloha. In October 2025, IHSN with other partners turned out over 22,000 residents on all major islands to say No Dictators! and to stand up for democracy. This call-to-action was part of Indivisible national's mobilization of more than 7 million across the country as the voice of the people, committed to election integrity and to evolving as a place of equity, opportunity and peace.

SB 2038 Relating to Medication Labeling
Committee on Health and Human Services
Hearing: Friday, Jan. 30, 2026 — Conference Room 224 / Videoconference

Aloha Chair and Committee Members,

Thank you for providing the opportunity to offer testimony in opposition of SB 2038.

My name is Jamie Detwiler, a native of Hawaii and a retired healthcare professional with 33 years of dedicated service. I am submitting this testimony based on my extensive experience in both direct patient care and administrative roles concerning patient safety and medical ethics.

This testimony addresses the proposed bill from the perspective of safety and medical ethics. Patient privacy, as protected under HIPAA (Health Insurance Portability and Accountability Act), is paramount. HIPAA already protects patient privacy.

Upon review of this bill, its primary objective appears to be safeguarding the privacy of pregnant individuals who receive abortion medication by removing personal and identifying information from prescription labels. The legislation achieves this goal and extends further by omitting the patient's name, seller's name, business address, phone number, and practitioner's name from the prescription label.

Patient Safety

This proposal introduces significant safety concerns. In scenarios where a patient experiences an adverse event resulting in incapacitation, it may become challenging to accurately assess their medical history or contact the practitioner for consultation and treatment. This risk is particularly concerning when considering minors who consent to such care and may encounter adverse events. Emergency physicians will be unable to reach the prescribing practitioner for vital medical history, leaving loved ones with unanswered questions about the adverse event.

Medical Ethics

The principle of non-maleficence, stating "first, do no harm," guides healthcare providers in weighing potential risks and benefits prior to intervention. Practitioners and pharmacists who adopt the practices outlined in this bill may risk violating established medical codes of ethics.

Hawaii Revised Statutes

Under Haw. Rev. Stat. § 577D-2, a "minor without support" defined as at least age 14 and not supervised by a parent, custodian, or legal guardian—may consent to primary medical care and services if the practitioner determines that the minor comprehends the associated benefits and risks and can communicate informed consent. Consent from other individuals is not required by statute. Primary medical care and services are defined as outpatient health services including screening, counseling, immunizations, medication, and standard treatments, excluding invasive procedures beyond injections, laceration care, or simple abscess management.

Final Observation

In summary, while I understand the intent of the bill, I have grave reservations about its implications for patient safety and compliance with medical practice guidelines. Scientific literature widely acknowledges that human life begins at conception, a viewpoint held by organizations such as the American College of Pediatricians and supported by peer-reviewed studies and professionals in relevant fields. (See source citation below.)

For these reasons, I respectfully urge Committee members to vote NO on SB 2038, citing the safety risks posed to both adults and minors seeking abortion medication without adherence to proper medical protocols.

Respectfully submitted,

Jamie Detwiler

SOURCE: "The Scientific Consensus on When a Human's Life Begins" by Steven Andrew Jacobs, National Library of Medicine, National Center for Biotechnology Information, Issues Law Med. 2021 Fall;36(2):221-233.

SB-2038

Submitted on: 1/28/2026 4:04:14 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Younghhee Overly	Individual	Support	Written Testimony Only

Comments:

Mahalo for hearing this measure.

SB-2038

Submitted on: 1/28/2026 5:06:28 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Greg Kahn	Individual	Support	Written Testimony Only

Comments:

I support SB 2038 because patients receiving sensitive medications should have the option of anonymity.

SB-2038

Submitted on: 1/28/2026 8:57:27 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill. Why the special treatment? Is it because we all know that abortion is innately and inherently wrong?

SB-2038

Submitted on: 1/28/2026 10:47:05 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elena Arinaga	Individual	Support	Written Testimony Only

Comments:

I am in STRONG SUPPORT of this bill. Please pass it.

SB-2038

Submitted on: 1/28/2026 11:02:18 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nathan Leo Braulick	Individual	Support	Written Testimony Only

Comments:

Mahalo.

SB-2038

Submitted on: 1/28/2026 11:14:43 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Judith White	Individual	Support	Written Testimony Only

Comments:

As a longtime woman (75 years), a mother, a Tutu and a mental health provider, I know that anonymity is critical to women's safe access to this medication

Dr Judith White

SB-2038

Submitted on: 1/28/2026 11:43:50 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Denize Machit	Individual	Support	Written Testimony Only

Comments:

I support this bill as it protects women at their most vulnerable. Please support this legislation.
Mahalo.

SB-2038

Submitted on: 1/28/2026 12:07:37 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kaleo K	Individual	Support	Written Testimony Only

Comments:

Aloha,

I am writing in **strong support** of SB2038. Not only is it vital for the protection of women now, it is important to the privacy and protection of women in the future. With current federal initiatives, there are a number of growing risks to health, safety, privacy, protection, and reproductive rights. SB2038 provides an important protective measure that could help **shield women from federal prosecution**. Mahalo for your consideration.

SB-2038

Submitted on: 1/28/2026 12:37:03 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Elizabeth Weltin	Individual	Support	Written Testimony Only

Comments:

As a nurse and retired Nurse-Midwife providing life time reproductive care, I can attest that having privacy protected for pregnant people of all ages regarding their reproductive health is critically important.

Women deserve to receive medical care that is determined between them and their medical provider. Medication labeling that shows a pregnant person's name can be dangerous and this is a simple solution to protecting their privacy and ensuring their safety.

SB-2038

Submitted on: 1/28/2026 1:13:52 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jody Weidemann	Individual	Support	Written Testimony Only

Comments:

SUPPORT authorizing certain pregnant persons to receive abortion medication with a label that does not bear their name and other identifying information. Abortion isn't something anyone loves. But, women have/need the right to control their own bodies safely.

SB-2038

Submitted on: 1/28/2026 1:23:08 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

I respectfully urge you to oppose SB 2038 and instead support policies that protect patient safety, maintain transparency, and uphold accountability within Hawai'i's healthcare system.

SB-2038

Submitted on: 1/28/2026 1:30:41 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristy Gund	Individual	Support	Written Testimony Only

Comments:

I support the right for a woman to make decisions about her health and body. In light of the current federal interference with that right, this Bill offers some protection against tracking medications that might trigger legal action against pregnant women.

SB-2038

Submitted on: 1/28/2026 1:54:47 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Noelle Lindenmann	Individual	Support	Written Testimony Only

Comments:

Aloha Committee Members

I write in support of SB2038, as it will enable people who need to be protected to be protected and not share their information, as needed.

Thank you,

Noelle Lindenmann, Kailua-Kona

SB-2038

Submitted on: 1/28/2026 1:55:07 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Margery Ziffrin Marlowe	Individual	Support	Written Testimony Only

Comments:

HB 2038 - Mifepristone Without Label

I support HB 2038, which authorizes certain pregnant persons to receive abortion medication with a label that does not bear their name and other identifying information.

Reproductive rights are under grave attack at the Trump administration, the courts, and in some states. Mifepristone is still legal and available in Hawaii but this may soon change.

Republican anti-abortion officials in other states have threatened to prosecute providers and patients who are prescribed abortion medication by providers in other states.

Our Governor established a stockpile of abortion medication in 2025 to enable continued state access as needed. In 2026, we ask you to pass this bill. We must increase protections and guard the privacy of both Hawaii's patients and our prescribing providers.

SB-2038

Submitted on: 1/28/2026 2:40:56 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Janet Teare	Individual	Support	Written Testimony Only

Comments:

This bill will allow the state to follow HIPAA rules and guidelines. Thank you for your support.

SB-2038

Submitted on: 1/28/2026 3:25:47 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Natasha Mito	Individual	Support	Written Testimony Only

Comments:

I am in support of Bill SB2038 to protect the privacy of at-risk individuals.

SB-2038

Submitted on: 1/28/2026 3:30:16 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Vivian S. Toellner	Individual	Support	Written Testimony Only

Comments:

I support this bill. It is hard to believe the times we are living in. Remember when your health choices were not subject to public opinion and nosiness. Please protect a persons privacy. Aloha & Mahalo

**Senate Committee on
Health and Human Services**
Chair Joy A. San Buenaventura Vice-Chair Angus L.K. McKelvey
Committee members
Dru Mamo Kanuha, Jarrett Keohokalole and Kurt Fevella

Re: SB2038 Abortion; Mifepristone; Medication; Pharmacy; Prescription; Health Description: Authorizes certain pregnant persons to receive abortion medication with a label that does not bear their name and other identifying information.

Jan. 28, 2026

Senators, I stand in strong opposition to this Senate Bill!

I look at the description “Authorizes certain pregnant persons to receive abortion medication with a label that does not bear their name and other identifying information.” aka unlabeled prescription to be dispensed? To who? Containing what?

What exactly is to be accomplished by passing something like this? what next? where does it stop? Just imagine what it might lead to?

So, I ask you to do the responsible thing and stop this bill from moving any further!

Respectfully,
Rita Kama-Kimura

SB-2038

Submitted on: 1/28/2026 4:40:45 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jane Aquino	Individual	Support	Written Testimony Only

Comments:

I support this bill authorizing certain pregnant persons to receive abortion medication with a label that does not bear their name and other identifying information Jane Aquino

SB-2038

Submitted on: 1/28/2026 4:47:15 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tim Huycke	Individual	Support	Written Testimony Only

Comments:

I support SB2038.

SB-2038

Submitted on: 1/28/2026 4:54:36 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Amber Kanehailua	Individual	Support	Written Testimony Only

Comments:

I strongly support SB2038 because as a woman myself I believe we should have control over the healthcare choices regarding our own bodies. As well as the protection of the right to an abortion if necessary for my well-being or that of my unborn child.

SB-2038

Submitted on: 1/28/2026 5:42:35 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cheryl Bellamy	Individual	Support	Written Testimony Only

Comments:

I support SB2038

SB-2038

Submitted on: 1/28/2026 5:52:54 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy D Moser	Individual	Support	Written Testimony Only

Comments:

I support SB2038.

SB-2038

Submitted on: 1/28/2026 6:00:01 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Jesse Hutchison	Individual	Support	Written Testimony Only

Comments:

Thank you!

SB-2038

Submitted on: 1/28/2026 6:40:10 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Collat	Individual	Support	Written Testimony Only

Comments:

Thank you for your efforts to remove barriers to receiving reproductive health care which has been under attack by the right wing in our country. This is a small but important measure toward that end.

SB-2038

Submitted on: 1/28/2026 7:43:04 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cheryl Rzonca	Individual	Oppose	Written Testimony Only

Comments:

I respectfully urge you to oppose SB 2038 and instead support policies that protect patient safety, maintain transparency, and uphold accountability within Hawai'i's healthcare system.

SB-2038

Submitted on: 1/28/2026 8:15:30 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Eileen Cain	Individual	Support	Written Testimony Only

Comments:

Please support this bill protecting patient privacy.

SB-2038

Submitted on: 1/28/2026 8:20:39 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kristen Collat	Individual	Support	Written Testimony Only

Comments:

Every women deserves the right to govern over her own body and make her own decisions and do so without retribution.

SB-2038

Submitted on: 1/28/2026 9:58:20 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Tammy M DeBernardi	Individual	Support	Written Testimony Only

Comments:

I support this.

SB-2038

Submitted on: 1/29/2026 5:38:30 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kehaulani Coleman	Individual	Support	Written Testimony Only

Comments:

authorize certain pregnant persons to receive abortion medication with a label that does not bear their name and other identifying information

SB-2038

Submitted on: 1/29/2026 7:47:37 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Karen Kahn	Individual	Support	Written Testimony Only

Comments:

Hawaii was one of the first states to legalize abortion, a fundamental right for women to control their own bodies. The attack on this freedom from the federal government could have immense consequences. This bill is an important way to protect the private choices that women make regarding their own families.

SB-2038

Submitted on: 1/29/2026 11:30:47 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joseph E Summerfield	Individual	Oppose	Written Testimony Only

Comments:

Absolutely NO on this Bill.

SB-2038

Submitted on: 1/29/2026 12:44:03 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Stephanie Coleman	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because of the concerns about patient safety, transparency, and accountability in Hawai‘i’s healthcare system

SB 2038 creates special exemptions for abortion medications that do not apply to other prescription drugs—raising questions about consistency and fairness in healthcare regulation.

The bill, as written, protects those making money off women, not the women themselves, and makes it incredibly difficult to have accountability when a woman is harmed, especially with sex trafficking on the rise.

If ordinary safeguards can be suspended for one controversial medical practice, similar exceptions could be extended to others in the future.

SB-2038

Submitted on: 1/29/2026 2:07:12 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
JANE TOLLEFSRUD	Individual	Support	Written Testimony Only

Comments:

Please authorize certain pregnant persons to receive abortion medication with a label that does not bear their name and other identifying information. Thank you for your consideration.

SB-2038

Submitted on: 1/29/2026 1:58:06 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mary Smart	Individual	Oppose	Written Testimony Only

Comments:

I most strongly oppose SB2038.

The policy proposed by this measure is very dangerous to women, since women are the only biological sex that can be pregnant. Please clarify that in future legislation. By using the terminology "persons" that includes men is scientifically false and needs to be corrected.

Men who cannot convince the mother of their child/children are known to surreptitiously get the pregnant mother of their child/children to ingest abortion pills causing an unwanted abortion.

For safety, prescriptions must identify the individual who is authorized to use the medication, the name of the medication, and all side effects of the pills must be provided.

Besides keeping all identifying information currently provided on prescriptions, there must be legislation that anyone who gives the abortion pill to someone else can be held responsible for the death of any preborn child.

Do not pass SB2038.

LATE

SB-2038

Submitted on: 1/29/2026 3:03:21 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Dr. Robert Justice	Individual	Support	Written Testimony Only

Comments:

I'm a retired physician who supports the availability mifepristone to any pregnant woman who chooses an abortion.

LATE

SB-2038

Submitted on: 1/29/2026 6:03:07 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Martina Wing	Individual	Support	Written Testimony Only

Comments:

Dear Committe Chair, Vice Chair, and members,

I support SB 2038, which authorizes certain pregnant persons to receive abortion medication with a label that does not bear their name and other identifying information.

Reproductive rights are under grave attack at the Trump administration, the courts, and in some states. Mifepristone is still legal and available in Hawaii but this may soon change.

Republican anti-abortion officials in other states have threatened to prosecute providers and patients who are prescribed abortion medication by providers in other states.

Our Governor established a stockpile of abortion medication in 2025 to enable continued state access as needed. In 2026, we ask you to pass this bill. We must increase protections and guard the privacy of both Hawaii's patients and our prescribing providers.

Thank you,
Martina Wing
Resident of Kailua-Kona
Big Island

SB-2038

Submitted on: 1/30/2026 9:08:59 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
James E Raymond	Individual	Support	Written Testimony Only

Comments:

Thank you.

LATE

SB-2038

Submitted on: 1/29/2026 4:40:03 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Alfred Hagen	Individual	Oppose	Written Testimony Only

Comments:

Aloha!

SB 2038 allows abortion drugs to be dispensed without standard identifying information, such as the pharmacy, prescriber, or contact details. These safeguards exist to protect patients and ensure accountability by.

Therefore, I respectfully urge you to oppose SB 2038 and instead support policies that protect patient safety, maintain transparency, and uphold accountability within Hawai‘i’s healthcare system.

Alfred Hagen

LATE**SB-2038**

Submitted on: 1/30/2026 10:57:16 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Catherine Wheeler	Individual	Oppose	Written Testimony Only

Comments:

Chair and Members of the HHS Committee,

I am Dr. Catherine Wheeler, an Obstetrician Gynecologist with 24 years of practice experience in Utah, including performing abortions. I now reside in Colorado. I testify on-behalf of myself.

What is the purpose of the carefully devised and regulated labeling of medications when dispensed? The primary purpose is for patient safety, and to prevent errors. Labeling also provides clear patient instructions for use, appropriate warnings, clear communication after the individual leaves the pharmacy, and the ability to identify and track medications in case of a recall.

Two of the greatest risks of medications that induce abortion are hemorrhage and infection which can rapidly progress to sepsis. These are also the top reasons women die from abortion.[\[1\]](#) In fact, record-linkage studies, which the U.S. cannot perform due to lack of data reporting and analysis, reveal that 15% of women taking these drugs early in the first trimester will experience hemorrhage.[\[2\]](#) While infection is fortunately far less frequent, it is also can rapidly become a deadly complication. A unique and difficult-to-diagnose infection caused by Clostridium sordelii is known to be associated with medication-induced abortion. Early diagnosis and intervention is essential for any hope of survival. The risks of severe complications increase with gestational age.[\[3\]](#) (Note that while this study reported a lower rate of the incidence of hemorrhage, they used an unusual definition of hemorrhage – over 1000 cc of blood loss. Typically, over 500 cc is considered a hemorrhage. 300 cc of blood is equivalent to one unit of blood transfused).

In both of these circumstances, a woman or girl is often found with diminished mental acuity, unconscious, in severe distress, or otherwise unable to communicate well. Family or emergency

personnel will look for evidence of any drugs used that may be contributing to her state. In these life-threatening circumstances, timeliness and an accurate diagnosis are critical for her survival.

An anonymous label hides the provider's name, thus removing the possibility of contacting the prescriber, who is professionally and ethically obligated to provide care for the patient they established a relationship with and responsibility to when they prescribed the drug(s). It hides the name and dose of the drug, thus decreasing the possibility of a rapid diagnosis of the condition and potential risks, limiting the ability of the emergency physician to provide proper and urgent care. Additionally, it hides the identity of the woman for whom the prescription was intended, which may increase the risk of coercion and abuse.

While we may all empathize with a woman who prefers no one knows of her choice, the medical system is obligated to first do no harm, as a first ethical principle, above autonomy. Removing safety standards that apply to all the rest of healthcare intentionally and recklessly disregards women's health, dignity, and safety.

When the 1999 report by the (then) Institute of Medicine, *To Err is Human: Building a Safer Health System*,^[4] was released, Americans were alarmed to learn that a top reason of death in the U.S. is from preventable medical error. The report urged that we design systems of safety, to reduce these egregious deaths.

This bill does the opposite in the name of autonomy over patient safety, by removing an essential safeguard that we all recognize is important –as evidenced by the original statute regulating drug labeling. This is unconscionable.

I urge a “no” vote.

[\[1\]](#) Zane S, Creanga AA, Berg CJ, Pazol K, Suchdev DB, Jamieson DJ, Callaghan WM. Abortion-Related Mortality in the United States: 1998-2010. *Obstet Gynecol*. 2015 Aug;126(2):258-265. doi: 10.1097/AOG.0000000000000945. PMID: 26241413; PMCID: PMC4554338.

[\[2\]](#) Niinimäki M, Pouta A, Bloigu A, Gissler M, Hemminki E, Suhonen S, Heikinheimo O. Immediate complications after medical compared with surgical termination of pregnancy. *Obstet Gynecol*. 2009 Oct;114(4):795-804. doi: 10.1097/AOG.0b013e3181b5ccf9. PMID: 19888037.

[\[3\]](#) Niinimäki M, Pouta A, Bloigu A, Gissler M, Hemminki E, Suhonen S, Heikinheimo O. Immediate complications after medical compared with surgical termination of pregnancy. *Obstet Gynecol*. 2009 Oct;114(4):795-804. doi: 10.1097/AOG.0b013e3181b5ccf9. PMID: 19888037.

[\[4\]](#) Institute of Medicine (US) Committee on Quality of Health Care in America, Ed. Kohn LT, Corrigan JM, and Donaldson MS. *To Err is Human: Building a Safer Health System*, National Academies Press (US); 2000.

LATE

SB-2038

Submitted on: 1/30/2026 11:07:14 AM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Doreen Morimoto	Individual	Oppose	Written Testimony Only

Comments:

Dear committee members,

I oppose bill SB2038, please vote no.
I'm very concerned about possible misuse and, or complications.
If she needs to follow up at urgent care, does health insurance cover this?

A fetus should not be treated like a piece of trash, so easily disposed of.
Save a life!

LATE

SB-2038

Submitted on: 1/30/2026 12:17:03 PM
Testimony for HHS on 1/30/2026 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Mayra Rodriguez	Testifying for And then they were none	Oppose	Written Testimony Only

Comments:

I speak not from theory, but from lived experience working inside abortion facilities.

I personally witnessed women pass out after taking the abortion pill. Some experienced heavy bleeding. Some collapsed from pain or blood loss. In those moments, paramedics were called. What allowed emergency responders to act quickly was clear documentation of what medication had been taken.

There was no guessing. There was no delay.

When a patient is unconscious or unable to speak, the prescription label matters. It tells first responders exactly what was ingested, the dosage, and the prescribing source. That information can be lifesaving.

Removing identifying information from prescription labels does not protect patient safety. It removes clarity during a medical emergency.

If a woman is hemorrhaging or unconscious, privacy is no longer the primary concern. Survival is.

This bill does not increase care. It creates confusion. It shifts risk onto the patient while shielding the prescriber.

We should never design policy that makes emergency medicine harder.

For these reasons, I urge you to vote NO on SB2038.

Thank you for your time and consideration.