

Honolulu, Hawaii
, 2026

MAR 06

RE: H.B. No. 1858
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 1858, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VITAL STATISTICS,"

begs leave to report as follows:

The purpose of this measure is to amend the various requirements in the event of a fetal death, including registration of certain fetal deaths, filing and preparation of a certificate of fetal death, documentation of fetal death for miscarriages, late determination of the cause of fetal death, and issuance of a permit for removal, burial, or other disposition.

Your Committee received testimony in support of this measure from the Department of Health; Hawaii State Commission on the Status of Women; 'Ahahui o nā Kauka; American Academy of Pediatrics, Hawaii Chapter; Hawaii Medical Association; Hawai'i Pacific Health; Hawai'i Home Birth Collective; American College of Obstetricians and Gynecologists, Hawai'i Section; League of Women Voters of Hawai'i County; Hawaii Women's Coalition; and numerous individuals.

Your Committee finds that the State's existing fetal death reporting statutes lack clarity and consistency, resulting in administrative burdens, privacy concerns, and data that is incomplete or unreliable for public policy purposes. Your



Committee further finds that combining fetal death reporting with general death reporting and mandating reporting for all pregnancy losses regardless of gestational age create legal ambiguities and undermines compliance with statutory requirements. Establishing clear gestational thresholds, extending reporting timelines, and distinguishing between mandatory registration and optional documentation in limited circumstances will improve the consistency and enforceability of the law while respecting privacy interests. Your Committee finds that aligning Hawaii's reporting framework with national standards will enhance the integrity of vital statistics and ensure that statutory requirements are reasonable, clear, and capable of uniform application.

Your Committee has amended this measure by:

- (1) Including a coroner's physician as a professional who may certify a fetal death for purposes of the certificate of fetal death;
- (2) Clarifying that the professionals who provide a signed statement in the event of a miscarriage are the attending physician, physician assistant, advanced practice registered nurse, or coroner's physician; and
- (3) 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 Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1858, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1858, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,



DAVID A. TARNAS, Chair



Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB1858 HD1	Committee Referral: HLT, JHA	Date: 2/24/2026		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au	✓			
4. COCHRAN, Elle		✓		
5. HASHEM, Mark J.				✓
6. KAHALOA, Kirstin	✓			
7. SAYAMA, Jackson D.	✓			
8. TAKAYAMA, Gregg	✓			
9. GARCIA, Diamond				✓
10. SHIMIZU, Garner M.	✓			
TOTAL (10)	7	1	0	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				