

STAND. COM. REP. NO. 1660-26

Honolulu, Hawaii  
APR 01 , 2026

RE: H.R. No. 5

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

Madame:

Your Committee on Health, to which was referred H.R. No. 5  
entitled:

"HOUSE RESOLUTION AFFIRMING AND SUPPORTING THE REQUIREMENT  
THAT HOSPITALS PROVIDE LIFE-SAVING EMERGENCY CARE TO PREGNANT  
PEOPLE, INCLUDING REPRODUCTIVE AND ABORTION SERVICES, WHEN  
SUCH CARE IS MEDICALLY NECESSARY TO STABILIZE A PATIENT UNDER  
THE EMERGENCY MEDICAL TREATMENT AND ACTIVE LABOR ACT,"

begs leave to report as follows:

The purpose of this measure is to affirm and support the  
requirement that hospitals provide life-saving emergency care to  
pregnant people, including reproductive and abortion services,  
when such care is medically necessary to stabilize a patient under  
the Emergency Medical Treatment and Active Labor Act.

Your Committee received testimony in support of this measure  
from the Hawaii State Commission on the Status of Women; AAUW of  
Hawai'i; Planned Parenthood Alliance Advocates; Healthcare  
Association of Hawaii; Kona Indivisible; Matriarchy Rising;  
Indivisible Hawai'i Healthcare Team; American College of  
Obstetricians and Gynecologists, Hawai'i Section; American Civil  
Liberties Union of Hawai'i; Hawai'i Women Lawyers; and numerous  
individuals. Your Committee received testimony in opposition to  
this measure from the Hawaii Family Forum; A Place for Women; and  
four individuals.


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Your Committee finds that timely access to life-saving emergency medical care for pregnant patients is essential to protecting patient health and preventing serious injury or death. Your Committee further finds that the federal Emergency Medical Treatment and Active Labor Act has long been interpreted as requiring hospitals to provide stabilizing treatment, including reproductive and abortion services when medically necessary. However, recent changes in federal guidance have created confusion regarding the provision of emergency reproductive and abortive services and have resulted in physicians in other states reporting that patients are experiencing restricted and delayed treatment. These delays often occur because additional administrative, legal, or institutional steps are required before treatment can be provided, even in urgent situations, and can lead to increased morbidity and the need for more invasive interventions and can cause otherwise preventable complications. Your Committee believes that affirming and supporting Hawaii's long-standing compliance with these standards reinforces access to emergency care, promotes public health, and upholds patient safety statewide.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee concurs with the intent and purpose of H.R. No. 5 and recommends its adoption.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,

  
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GREGG TAMAMA, Chair



