

STAND. COM. REP. NO.

2422

Honolulu, Hawaii

FEB 19 2026

RE: S.B. No. 2845
S.D. 1

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

Sir:

Your Committee on Health and Human Services, to which was referred S.B. No. 2845 entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Prohibit persons from interfering with another person's access to or from a health care facility or disrupting the normal functioning of a health care facility;
- (2) Make violations a petty misdemeanor;
- (3) Establish a private right of action for individuals and health care facilities harmed as a result of interference with a health care facility; and
- (4) Authorize the Attorney General to bring an action for injunctive or other equitable relief.

Your Committee received testimony in support of this measure from the State Health Planning and Development Agency; Hawaii State Commission on the Status of Women; Hawai'i State Lesbian, Gay, Bisexual, Transgender, Queer Plus Commission; HOKU PAC; Pride at Work-Hawai'i; Healthcare Association of Hawaii; Hawai'i Primary Care Association; Indivisible Hawai'i Healthcare Team; American



Association of University Women of Hawai'i; Stonewall Caucus of the Democratic Party of Hawai'i; Hawaii Women Lawyers; Visibility Brigade Honolulu; Indivisible Leeward Oahu; Planned Parenthood Alliance Advocates-Hawai'i; American College of Obstetricians and Gynecologists, Hawai'i Section; Hawai'i Health & Harm Reduction Center; Hawaii State Democratic Women's Caucus; YWCA of Kauai; and over one hundred individuals.

Your Committee received testimony in opposition to this measure from Hawai'i Family Forum and one individual.

Your Committee received comments on this measure from the Department of the Attorney General; Department of Health; and Hawai'i Nurses' Association, OPEIU Local 50.

Your Committee finds that individuals seeking or providing health care should be able to access health care facilities without fear, intimidation, or any form of harassment. Your Committee further finds that there is a need to create a comprehensive framework to deter harmful conduct and ensure accountability for obstructing access or disrupting operations at health care facilities. This measure keeps the State's health care facilities secure, orderly, and responsive for anyone who needs care.

Your Committee has amended this measure by:

- (1) Deleting language that would have made the prohibition on interference with health care facilities not apply to actions taken as part of a labor demonstration or when exercising the right to strike, to address potential constitutional concerns arising from content-based distinctions under the First Amendment of the United States Constitution and article I, section 4, of the Hawaii State Constitution;
- (2) With regard to a court's duty, in a criminal or civil proceeding, to take reasonably necessary steps to safeguard the privacy of an aggrieved party and prevent harassment of a patient, health care provider, or health care facility employee who is a party or witness:



- (A) Inserting language to clarify that the duty arises only upon motion by an interested party, rather than on the court's own initiative; and
- (B) Deleting language specifying the use of protective orders and motions in limine, to preserve the court's discretion regarding appropriate procedural safeguards; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2845, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2845, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health and Human
Services,



JOY A. SAN BUENAVENTURA, Chair



