

STAND. COM. REP. NO. 3495

Honolulu, Hawaii

APR 08 2026

RE: S.R. No. 7

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.R. No. 7 entitled:

"SENATE 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 and intent 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, Hawai'i Public Health Institute, AAUW of Hawai'i, Hawai'i Women Lawyers, and ACLU of Hawai'i.

Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that the Emergency Medical Treatment and Active Labor Act (EMTALA), enacted in 1986, requires hospitals that receive Medicare funding to provide a medical screening



examination and stabilizing treatment to any person with an emergency medical condition, regardless of their ability to pay. Your Committee further finds that shifts in federal policy and guidance in recent years, including the 2022 federal affirmation of EMTALA's requirement to provide emergency abortion care and the 2025 rescission of this guidance by the Centers for Medicare and Medicaid Services, have created national confusion about EMTALA's application, even though the statute itself remains fully in effect. The lack of consistent federal guidance has caused hospitals in some states to delay or deny stabilizing care for pregnant people, particularly in states with abortion bans, despite EMTALA's requirements. This measure ensures access to emergency care protects patients, supports physicians in providing appropriate medical treatment, and ensures that the State's hospitals remain compliant with federal law.

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 concurs with the intent and purpose of S.R. No. 7 and recommends its adoption.

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



JOY A. SAN BUENAVENTURA, Chair



