



April 22, 2026

Position: **SUPPORT** of **SCR7**, 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

To: Representatives Gregg Takayama, Chair
Representatives Sue L. Keohokapu-Lee Loy, Vice Chair
Members of the House Committee on Health

From: Llasmin Chaine, LSW, Executive Director, Hawaii State Commission on the Status of Women

Re: Testimony in SUPPORT of SCR7, 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

Hearing: Thursday, April 23, 2026, 8:45 a.m.
Conference Room 430, State Capitol

On behalf of the Hawaii State Commission on the Status of Women, I would like to thank the Committee for hearing this important measure. The Commission **supports SCR7** as it directly advances the Commission's mission to promote equality, economic security, health, and safety for women and girls in Hawaii. In light of shifting federal policy and guidance regarding the Emergency Medical Treatment and Active Labor Act (EMTALA), SCR7 **provides guidance to Hawaii's hospitals and affirms existing legal protections for those seeking and providing emergency care**, including reproductive and abortion services, which are central to equity, inclusion, bodily autonomy and the well-being of women, girls, and pregnant individuals across the state.

Delaying or denying emergency care is harmful and illegal. [When pregnant people are denied care, they are more likely to experience increased maternal health complications and long-term negative health effects](#). This is especially true for marginalized communities who experience intersecting levels of oppression in health systems. By reinforcing the obligation of hospitals to provide these services, the resolution supports protections against discrimination and upholds the fundamental right to health care.

We respectfully urge this Committee to **pass SCR7** in support of individuals seeking health care, advancing health equity and strengthening our community's safety and well-being.

Thank you for this opportunity to submit testimony.



To: Hawaii State House Committee on Health

RE: Testimony in STRONG SUPPORT of SCR7/SR7

Dear Chair Takayama, Vice Chair Keohokapu-Lee Loy, and members of the Committee,

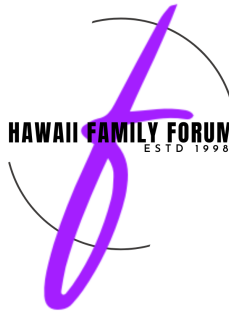
The members of AAUW of Hawai'i thank you for this opportunity to testify in support of this resolution.

We strongly support SCR7/SR7 affirming and supporting the requirement that hospitals provide life-saving emergency care to pregnant people, including reproductive and abortion services. This resolution ensures the federal Emergency Medical Treatment and Labor Act protections stay in place to protect pregnant people in Hawai'i, no matter what happens at the federal level. Pregnant people need to know that the medical providers will respond to their needs in emergency situations.

Please pass this resolution. Thank you.

Sincerely,
Younghee Overly
AAUW of Hawai'i Public Policy Committee

The American Association of University Women (AAUW) of Hawai'i is an all-volunteer, statewide chapter of a national organization with close to 4000 members and supporters across all four counties - Hawai'i, Honolulu, Kaula'i, and Maui. AAUW has state chapters in all 50 states and our mission is to advance gender equity through education and advocacy. Economic security for women is our goal.



Submitted Online: Tuesday, April 21, 2026

TO: House Committee on Health
Representative Gregg Takayama, Chair
Representative Sue L. Keohokapu-Lee Loy, Vice Chair

FROM: Eva Andrade, President

RE: Opposition to SCR7

Hawai‘i Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawai‘i. We respectfully oppose SCR 7.

EMTALA already requires hospitals to provide stabilizing treatment to any patient experiencing an emergency medical condition, including pregnant women. There is no dispute that women facing serious complications—such as hemorrhage, ectopic pregnancy, or preeclampsia—must receive immediate, life-saving care. This standard is already in place and widely followed in Hawai‘i.

This resolution goes beyond affirming emergency care and instead adopts one specific interpretation of federal law. SCR 7 asserts that EMTALA requires abortion procedures as necessary stabilizing treatment and encourages all hospitals, including those with religious convictions, to follow this interpretation. However, federal guidance on this issue has shifted in recent years, and there remains ongoing national legal and policy debate regarding how EMTALA should be applied in these circumstances.

By formally affirming this position, the Legislature is taking a side in an evolving federal debate. This raises concerns about placing additional pressure on healthcare providers who operate under sincerely held ethical or religious standards, while also moving beyond education into advocacy on a complex and unresolved issue.

The resolution itself acknowledges that Hawai‘i hospitals have a long-standing record of providing stabilizing treatment to pregnant women. Given this, the measure appears unnecessary and may introduce confusion rather than clarity.

Hawai‘i can continue to ensure access to emergency medical care for all patients without expanding into broader policy declarations that may carry unintended consequences. A more balanced approach would affirm the importance of emergency care while respecting the diversity of medical judgment, legal interpretation, and conscience protections within our healthcare system.

For these reasons, Hawai‘i Family Forum respectfully urges the Committee to HOLD this resolution.

Mahalo for the opportunity to testify.



HIPHI Board

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Department of Pediatrics*

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Dina Shek, JD
*Medical-Legal Partnership
For Children in Hawai'i*

JoAnn Tsark, MPH
*John A. Burns School of Medicine, Native
Hawaiian Research Office*

Danette Wong Tomiyasu, MBA
*Retired, Hawai'i State Department of
Health*

HIPHI Initiatives

Coalition for a
Tobacco-Free Hawai'i

Community-Based Research &
Evaluation

Community Health
Worker Initiatives

COVID-19 Response

Environmental Health

Hawai'i Drug & Alcohol-Free Coalitions

Hawai'i Farm to School Network

Hawai'i Oral Health Coalition

Hawai'i Public Health Training Hui

Healthy Eating + Active Living

Kūpuna Collective/Healthy Aging &
Community Living

Public Health Workforce Development

Date: April 21, 2026

To: Rep. Gregg Takayama, Chair
Rep. Sue L. Keohokapu-Lee Loy, Vice Chair
Members of the House Committee on Health

Re: Support for SCR 7, 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

Hrg: April 23, 2026, 8:45 AM, Conference Room 430

Hawai'i Public Health Institute (HIPHI)¹ is in **support of SCR 7**, 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.

Longstanding Federal Law

The Emergency Medical Treatment and Active Labor Act (EMTALA), enacted by Congress in 1986, requires hospitals that participate in Medicare and operate emergency departments to provide a medical screening examination and stabilizing treatment to any patient who presents with an emergency medical condition, regardless of their ability to pay. EMTALA applies to all emergency medical conditions, including pregnancy-related emergencies.²

Importantly, EMTALA requires hospitals to provide stabilizing treatment using the standard of care and defers to physicians' clinical judgment in determining what treatment is necessary to stabilize a patient. In some emergency situations involving pregnancy complications—such as ectopic pregnancy, severe infection, hemorrhage, or preeclampsia—terminating a pregnancy may be the only medically appropriate treatment to stabilize the patient and prevent serious harm or death.³

Addressing Legal Confusion

Medical research has documented that conflicts between state abortion laws and EMTALA obligations have created confusion and delays in care for obstetric

¹ Hawai'i Public Health Institute's mission is to advance health and wellness for the people and islands of Hawai'i. We do this through expanding our understanding of what creates health of people and place, fostering partnerships, and cultivating programs to improve policies, systems, and the environments where people live, learn, work, age, and play.

² [Emergency Medical Treatment & Labor Act \(EMTALA\)](#), Centers for Medicare & Medicaid Services.

³ ["When Pregnancy Emergencies Collide With State Abortion Bans"](#), Genevieve Rajewski, Tufts Now, December, 2025.



emergencies, which can place patients at significant risk. A 2025 study examining EMTALA and obstetric emergencies found that state abortion laws may undermine federally protected emergency care and create uncertainty for clinicians attempting to comply with EMTALA's stabilization requirements.⁴

As a federal law, EMTALA can preempt conflicting state laws when emergency medical care is required to stabilize a patient. Courts and legal scholars have recognized that EMTALA's core purpose is to ensure access to emergency medical treatment and prevent hospitals from denying necessary emergency care, including life-preserving abortion care in emergency situations.⁵

Recent litigation across the United States demonstrates the ongoing legal conflict between state abortion bans and EMTALA's emergency care requirements. Courts and federal agencies have repeatedly examined whether state abortion bans can restrict emergency care required under EMTALA, highlighting the continuing legal uncertainty and the importance of reaffirming the requirement that hospitals provide necessary emergency care to stabilize patients.⁶

Preserving Emergency Care

From a public health perspective, delays in emergency obstetric care can lead to severe health consequences, including infection, hemorrhage, organ damage, infertility, and death. Federal reports and medical guidance emphasize that in emergency situations, failure to provide stabilizing care, or delays caused by legal uncertainty, can result in irreversible harm to patients.⁷

This resolution makes an important statement that Hawai'i supports evidence-based medicine, physician clinical judgment, and compliance with federal emergency care law. It affirms that hospitals must be able to provide medically necessary care without delay when a patient's health or life is at risk. Ensuring access to emergency care protects patients, supports physicians in providing appropriate medical treatment, and ensures that Hawai'i hospitals remain compliant with federal law.

Accordingly, we respectfully urge the legislature to adopt this resolution.

Mahalo,

A handwritten signature in black ink that reads 'Kris Coffield'.

Kris Coffield
Policy and Advocacy Associate

⁴ ["Obstetric-Related Emergency Medical Treatment and Labor Act Violations and No Health Exception Bans"](#), Liana R Woskie et al, Journal of the American Medical Association Health Forum, 2025.

⁵ ["Pregnancy Complications After Dobbs: The Role of EMTALA"](#), Kimberly Chernoby et al, Western Journal of Emergency Medicine: Integrating Emergency Care with Population Health, 2024.

⁶ ["Legality of abortion in emergency medical circumstances continues to evolve"](#), Rachel L. Zacharias et al, Reuters, May 13 2025.

⁷ ["Practicing Amid "a Minefield": Emergency Reproductive Health Care Post-Dobbs"](#), United States Senate Finance Committee Staff Report, December 2024.



April 23, 2026 at 8:45 am
Conference Room 430

House Committee on Health

To: Chair Gregg Takayama
Vice Chair Sue L. Keohokapu-Lee Loy

From: Paige Heckathorn Choy
Vice President, Government Affairs
Healthcare Association of Hawaii

Re: **Submitting Comments**
SCR 7, Affirming and supporting the requirements 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

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the health care continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high-quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 30,000 people statewide.

Thank you for the opportunity to **support** this resolution. Hospitals across Hawaii are firmly committed to patient safety and the delivery of high-quality care to every individual who presents with an emergency medical condition. This includes pregnant patients experiencing serious complications who require immediate, life-saving treatment. Under the Emergency Medical Treatment and Labor Act, hospitals are required to provide stabilizing care, and our providers take these obligations seriously.

In emergency situations, care decisions are guided by clinical judgment, accepted standards of care, and the need to protect the life and health of the patient. This includes providing all medically necessary services— including reproductive and abortion-related care—when required to stabilize a patient. These are often complex and time-sensitive situations, and clinicians respond quickly and appropriately to ensure patients receive the treatment they need without delay.

This resolution reinforces longstanding commitments by medical professionals and helps maintain public confidence that hospitals will continue to serve as safe and reliable access points for emergency care. Thank you for the opportunity to provide our comments on this important matter.



April 22, 2026

Representative Gregg Takayama, Chair
Representative Sue Keohokapu-Loy, Vice Chair
Committee on Health

Re: SCR 7: 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.

Hearing: Thursday, April 23, 2026, 8:45 AM, Conference Room 430 & Videoconference

Dear Chair Takayama, Vice Chair Keohokapu-Loy, and the Members of the Committee on Health:

Hawaii Women Lawyers is a lawyer's trade organization that aims to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

Hawaii Women Lawyers submits testimony in support of SCR 7, which 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.

The Emergency Medical Treatment and Active Labor Act (EMTALA) was enacted in 1986 to ensure public access to emergency services regardless of ability to pay. For pregnant patients, this obligation includes treatment of emergency medical conditions that threaten their health, which, depending on the clinical circumstances, may include reproductive and abortion services.

In June 2025, the Centers for Medicare & Medicaid Services rescinded its 2022 guidance that had specifically clarified hospitals' EMTALA obligations to provide appropriate abortion care. That rescission has created uncertainty for hospitals and providers across the country about whether and when they must provide emergency reproductive care.

In the absence of clear federal guidance, state-level affirmations like HCR 7 send an important signal to Hawaii's hospitals, providers, and patients that are in our state, the

expectation is that EMTALA's requirements will include providing abortion care when it is necessary to stabilize pregnant patients.

Medical emergencies do not wait, and the quality of emergency care a pregnant person receives should not vary based on the political climate in which a hospital operates. This resolution reaffirms what federal statute already requires: that hospitals stabilize patients in emergency situations, and that pregnant patients are entitled to the full scope of that protection.

For the above reasons, we support SCR 7 and respectfully request that the Committee pass these resolutions.

Thank you for the opportunity to testify in support of this measure.

LATE

SCR-7

Submitted on: 4/22/2026 12:56:39 PM
Testimony for HLT on 4/23/2026 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Azael Guillermo Ramirez	Individual	Support	Written Testimony Only

Comments:

I think a woman should be allowed to abort a baby in general, but if we aren't allowing that for whatever reason, it should be allowed to save a life.

LATE

SCR-7

Submitted on: 4/23/2026 1:54:55 AM

Testimony for HLT on 4/23/2026 8:45:00 AM

Submitted By	Organization	Testifier Position	Testify
Theresa Armbruster	Individual	Oppose	Written Testimony Only

Comments:

Strong Opposition to SCR7

The Emergency Medical Treatment and Labor Act(EMTALA) requires hospitals to provide Medical Screening & stabilizing treatment for pregnant patients with Emergency Medical Conditions(EMC). EMTALA definition of EMC for pregnant patient: a medical condition that could jeopardize her health OR health of her unborn child--this definition creates an obligation to stabilize Both the patient and her unborn child. EMTALA does Not mention or require any specific stabilizing treatment, such as abortion, for any EMC, so providers may use their clinical judgment to address pregnant patients' EMCs.

EMTALA does Not state that Religious exemptions are not allowed. Recent Supreme Court rulings state that Federal conscience law shields doctors from performing abortions or other treatments in emergencies.

There is No evidence that any Hawaii hospitals are denying emergency stabilizing treatments for pregnant women Therefore, this Resolution is unnecessary!

Respectfully urge Vote NO to SCR7

Mahalo for opportunity to testify