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# A BILL FOR AN ACT

RELATING TO REPRODUCTIVE HEALTH INFORMATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. American teenagers are facing a reproductive  
2 health crisis. Each year, a million American teenagers become  
3 pregnant. Approximately fifty percent of all high school  
4 students have engaged in sexual intercourse. By the time they  
5 have reached their senior year, nearly two-thirds (more than  
6 sixty-four percent) of teenagers have engaged in sexual  
7 intercourse. Unintended pregnancy is only one of the  
8 consequences of this behavior. Gonorrhea rates are on the rise  
9 for the first time in thirteen years and other sexually  
10 transmitted diseases (STDs) such as chlamydia and syphilis  
11 continue to significantly impact the young population. In fact,  
12 one in four new cases of STDs occur in adolescents.

13           In July of 2001, then-Surgeon General David Satcher  
14 released his long-awaited Call to Action to Promote Sexual  
15 Health and Responsible Sexual Behavior. Citing research  
16 findings on the effectiveness of various program interventions,  
17 the Satcher report stresses the importance of information on sex  
18 that balances encouragement of abstinence for young people with



1 ensuring "awareness of optimal protection from sexually  
2 transmitted diseases and unintended pregnancy, for those who are  
3 sexually active ...." Satcher's conclusion is echoed in Health  
4 People 2010, the Department of Health and Human Services' set of  
5 official national goals for improved public health, which  
6 emphasizes the need to reduce teenage pregnancy and sexually  
7 transmitted disease rates in part through comprehensive sex  
8 information programs.

9 The state department of health, in order to help students  
10 make decisions that promote healthy behaviors, instructs  
11 students that abstention from sexual intercourse is the surest  
12 and most responsible way to prevent unintended pregnancies,  
13 sexually transmitted diseases such as human immunodeficiency  
14 virus and acquired immune deficiency syndrome, and consequent  
15 emotional distress. The purpose of this Act is to ensure that  
16 any instruction, counseling, or information relating to sex  
17 shall be medically accurate, factually based, and objective.

18 SECTION 2. Section 321-111, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 **"§321-111 Sexually transmitted disease prevention program.**

21 (a) The departments of health and education shall cooperate  
22 with each other and other public and private authorities as they



1 may deem advisable for the education of minors and members of  
2 the general public on sexually transmitted diseases and the  
3 prevention of sexually transmitted diseases. For the purpose of  
4 this section, "minor" means any person fourteen years of age or  
5 older and under the age of majority.

6 (b) The department of health shall formulate, supervise,  
7 and coordinate throughout the State an educational program for  
8 the purposes of preventing sexually transmitted diseases,  
9 instructing the general public in detecting the diseases, and  
10 encouraging early treatment.

11 (c) The information shall be made available upon request  
12 to all minors and members of the general public without parental  
13 consent and the information shall be distributed to all public  
14 school counselors requesting educational materials concerning  
15 sexually transmitted disease prevention, detection, and  
16 treatment.

17 (d) Any recipient of state funding that provides  
18 information or offers programs regarding sex, family planning,  
19 pregnancy counseling, or sexually transmitted diseases shall  
20 provide medically accurate, factual information that is  
21 age-appropriate and that includes information on both abstinence  
22 and contraception for the prevention of pregnancy and sexually



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1 transmitted diseases, including human immunodeficiency virus and  
2 acquired immune deficiency syndrome.

3 For the purposes of this subsection:

4 "Factual information" includes, but is not limited to,  
5 medical, psychiatric, psychological, empirical, and statistical  
6 statements.

7 "Medically accurate" means verified or supported by  
8 research conducted in compliance with scientific methods and  
9 published in peer-reviewed journals, where appropriate, and  
10 recognized as accurate and objective by professional  
11 organizations and agencies with expertise in the relevant field,  
12 such as the federal Centers for Disease Control and Prevention  
13 and the American College of Obstetricians and Gynecologists."

14 SECTION 3. New statutory material is underscored.

15 SECTION 4. This Act shall take effect upon its approval.

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**Report Title:**

Reproductive Health Information

**Description:**

Requires recipients of state funding, that provide information or programs regarding sex information, to provide medically accurate, factual information that is age-appropriate and includes information on both abstinence and contraception.

