

Honolulu, Hawaii

March 3, 2006

RE: H.B. No. 2057
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2057, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this bill is to honor certain cultural and religious practices by allowing hospitals, after appropriate testing for infections or hazards, to release a placenta to the woman from whom the placenta originated.

The Office of Hawaiian Affairs, 'Ahahui Siwila Hawaii O Kapolei, American Civil Liberties Union of Hawaii, Hawaii Women's Coalition, Healthy Mothers, Healthy Babies, Coalition of Hawaii, Kaiser Permanente Hawaii, Native Hawaiian Legal Corporation, Waikiki Hawaiian Civic Club, and numerous concerned individuals testified in support of this bill. The Department of Health (DOH) supported this measure with an amendment.

Your Committee finds that the establishment of a new section in Chapter 321, Hawaii Revised Statutes (HRS), is more appropriate than placing the bill's provisions under section 321-21, HRS, dealing with management and disposal of infectious wastes, given that the purpose of this measure is to honor religious and cultural practices associated with childbirth. Removal of the bill's provisions from section 321-21, HRS, also frees DOH from rulemaking requirements of that section and provides more



immediate relief for those who would benefit from the release of human placenta.

Accordingly, your Committee has amended this bill by:

- (1) Modifying the purpose clause;
- (2) Placing the bill's provisions in a new section to be added to Chapter 321, HRS, rather than in section 321-21, HRS; and
- (3) Making technical, nonsubstantive amendments for clarity and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2057, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2057, H.D. 2.

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


for SILVIA LUKE, Chair



