

Honolulu, Hawaii

Feb 10, 2006

RE: H.B. No. 2059
H.D. 1

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

Sir:

Your Committee on Health, to which was referred H.B. No. 2059
entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this bill is to provide sexual assault
survivors with informed access to emergency contraceptives by:

- (1) Requiring hospitals to provide:
 - (A) Information on emergency contraception to sexual assault survivors who are receiving emergency care;
 - (B) Emergency contraceptives to these sexual assault survivors upon request; and
 - (C) Information on sexual assault treatment and emergency contraception to employees who provide emergency care to sexual assault survivors.
- (2) Allowing the Department of Health to impose fines for failure to comply with these requirements; and
- (3) Authorizing funding to be provided for the emergency contraceptives out of the Domestic Violence and Sexual Assault Special Fund.



The Hawaii Women's Coalition, American Civil Liberties Union of Hawaii, Domestic Violence Clearinghouse and Legal Hotline, Planned Parenthood of Hawaii, Healthy Mothers Healthy Babies Coalition of Hawaii, MothersCare for Tomorrow's Children, Sex Abuse Treatment Center, and many concerned individuals supported this measure. The Hawaii Family Forum, St. Francis Healthcare System of Hawaii, and a concerned individual opposed this measure.

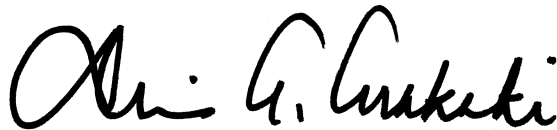
Your Committee finds that an exemption for St. Francis is needed because of its religious beliefs. In addition, the interested parties need to discuss the issues arising if St. Francis is sold.

Your Committee has amended this bill by:

- (1) Making religiously affiliated hospitals exempt from the requirement that emergency contraceptives and information be provided to sexual assault survivors. However, these hospitals are required to provide at their own expense, medically appropriate transportation of these survivors in a timely manner to another health care facility or provider of the survivor's choice; and
- (2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2059, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2059, H.D. 1, and be referred to the Committee on Judiciary.

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



DENNIS A. ARAKAKI, Chair



