

Honolulu, Hawaii

MAR - 2 2006

RE: S.B. No. 2133  
S.D. 2

Honorable Robert Bunda  
President of the Senate  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Judiciary and Hawaiian Affairs, to which  
was referred S.B. No. 2133, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to allow a placenta to be  
released by a hospital, upon negative findings of infection or  
hazard, to the woman from which it originated.

Testimony in support of this measure was submitted by 'Ahahui  
Siwila Hawai'i O Kapolei; Healthy Mothers, Healthy Babies  
Coalition of Hawai'i; the Honolulu County Committee on the Status  
of Women; Kaiser Permanente Hawaii; the Native Hawaiian Legal  
Corporation; Hawaii Women's Coalition; the Waikiki Hawaiian Civic  
Club; and six individuals. Comments were also submitted by the  
Department of Health.

Your Committee finds that Native Hawaiian traditions and  
customary practices are essential to sustaining the Hawaiian  
culture, and need protection. An important cultural practice is  
for the family to bury the placenta or 'iewe after a child is  
born. This Hawaiian custom dates back to pre-contact Hawaii  
culture. Your Committee also notes that in addition to na kanaka  
maoli, other cultures, including Chinese, Filipino, and Japanese,  
all practice some form of burying the placenta to protect the  
child and ensure its future health.



Your Committee further finds that it is imperative that hospitals and other health care facilities allow families of newborns who want to continue this tradition by releasing the placenta to the mother.

Your Committee noted suggestions from the Department of Health to create a new section within Chapter 321, Hawaii Revised Statutes, which enables a hospital to safely release a human placenta to the mother or her designee after the mother is appropriately tested. After careful consideration, your Committee has adopted the Department of Health's recommendations and amended this measure accordingly to more appropriately reference human placenta rather than infectious waste.

As affirmed by the record of votes of the members of your Committee on Judiciary and Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2133, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2133, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Hawaiian Affairs,



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COLLEEN HANABUSA, Chair



