

JAN 24 2007

A BILL FOR AN ACT

RELATING TO PREGNANT WOMEN.

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

1 SECTION 1. Chapter 321, Hawaii Revised Statutes, is
2 amended by adding two new sections to be appropriately
3 designated and to read as follows:

4 "§321- Pregnant women special fund; purpose; guidelines.

5 (a) There is created in the state treasury the Hawaii pregnant
6 women special fund. The fund is to be administered by the
7 department of health and may receive legislative appropriations,
8 grants, and gifts.

9 (b) The department may solicit gifts, donations, bequests,
10 and grants on behalf of the fund from any source and deposit all
11 moneys received into the fund. All interest earned or accrued
12 on the moneys deposited into the fund shall become part of the
13 fund.

14 (c) The department shall expend moneys contained in the
15 fund solely for the purposes of:

16 (1) Collecting and reporting abortion surveillance data;

17 (2) Purchasing or upgrading ultrasound equipment;



- 1 (3) Creating a separate program for domestic violence,
2 dating violence, sexual assault, and stalking
3 screening against pregnant women and new mothers;
- 4 (4) Encouraging additional authorization of appropriations
5 for a public campaign to increase public awareness;
- 6 (5) Providing support services for students of
7 institutions of higher education;
- 8 (6) Providing funds to allow early childhood education
9 programs to work with pregnant or parenting teens to
10 complete high school and provide job training
11 education; and
- 12 (7) Providing for teenage or first time mothers education
13 on the health needs of their infants through free home
14 visits by registered nurses.
- 15 (d) The department shall submit to the governor and the
16 legislature no later than the twentieth day before each
17 legislative session, an annual report of all gifts, donations,
18 grants, and bequests accepted into the fund, including the names
19 of the donors and the respective amounts contributed.
- 20 (e) The department shall establish an application process
21 and related procedures for community health centers, migrant
22 health centers, homeless health centers, and public-housing



1 centers seeking grants from the fund. A grant may only be made
2 after the successful completion of the application and any
3 supporting material deemed to be necessary by the department.

4 §321- Routine component of prenatal care. (a) Every
5 practitioner licensed to practice in the State and who renders
6 prenatal care shall include the following as routine components
7 of prenatal care:

- 8 (1) Advise every pregnant patient of the value of testing
9 for human immunodeficiency virus infection and request
10 consent of the patient to perform the testing. The
11 practitioner shall counsel all pregnant women with
12 human immunodeficiency virus-positive results about
13 the dangers to the fetus and the advisability of
14 receiving treatment in accordance with the current
15 Center for Disease Control recommendations for
16 pregnant women with human immunodeficiency virus. Any
17 patient may refuse consent to testing and recommended
18 treatment. Documentation of the refusal shall be
19 maintained in the patient's medical record; and
- 20 (2) Provide a patient having received a positive test
21 indicating a prenatally diagnosed condition, such as
22 Down syndrome, with up-to-date, scientific written



1 information concerning the life expectancy, clinical
 2 course, and intellectual and functional development
 3 and treatment options for the fetus or the child born
 4 with the condition. The practitioner shall provide a
 5 referral to support services providers, including
 6 information hotlines specific to Down syndrome or
 7 other prenatally diagnosed conditions, resource
 8 centers, and other education and support programs.
 9 For the purposes of this section, "prenatally
 10 diagnosed condition" means any fetal health condition
 11 identified by prenatal genetic testing or prenatal
 12 screening procedures.

13 (b) All provisions regarding patient confidentially and
 14 counseling, including but not limited to sections 321-423 and
 15 325-101 shall apply to all prenatal screening required in this
 16 section."

17 SECTION 2. New statutory material is underscored.

18 SECTION 3. This Act shall take effect upon its approval.

19 INTRODUCED BY:

Norman Sabem

[Signature]



Report Title:

Pregnant Women Support Fund; Creation

Description:

Establishes the pregnant women special fund for the purpose of accepting funds to be used to collected data on abortion services, create a program for domestic violence against pregnant women, public education programs, education services for new mothers and mothers-to-be, and equipment. Requires health practitioners licensed in the State providing prenatal care to counsel patients regarding HIV and prenatally diagnosed conditions.

