
HOUSE RESOLUTION

URGING ALL HOSPITAL EMERGENCY ROOMS IN THE STATE TO PROVIDE
EMERGENCY CONTRACEPTION ON DEMAND TO VICTIMS OF SEXUAL
ASSAULT OR RAPE.

1 WHEREAS, when a victim of violent crime that results in
2 physical injury seeks medical attention, the health care system
3 should do everything possible to respond and administer
4 medically necessary care; and
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6 WHEREAS, sexual assault, or rape, is a crime that is
7 violent, traumatic, and the ultimate, intimate violation in
8 which a woman loses all sense of personal control, decision-
9 making, and dignity, and in which she is physically and
10 psychologically ripped apart; and
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12 WHEREAS, healers are responsible for providing victims with
13 information regarding procedures being followed to ease pain,
14 information critical to decisions regarding injuries,
15 information regarding the risks of sexually transmitted disease,
16 and honest information about the risks of pregnancy and
17 emergency contraception; and
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19 WHEREAS, according to the American College of Obstetricians
20 and Gynecologists, the American Medical Association, and the
21 American College of Emergency Physicians, the accepted standard
22 of care for victims of sexual assault includes the provision of
23 emergency contraception, if desired; and
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25 WHEREAS, across the nation, more than four hundred
26 Catholic, nonprofit hospitals dispense emergency contraception
27 to rape victims; and
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29 WHEREAS, under Hawaii law, a for-profit corporation would
30 not qualify for a religious employer exemption to the
31 requirement that employer group medical insurance policies must
32 provide coverage for contraceptive services; and
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WHEREAS, a private nonprofit institution would meet the standard for a religious employer exemption under Hawaii law regarding contraceptives only if:

- (1) The inculcation of religious values is the purpose of the entity;
- (2) The organization primarily employs persons who share its religious beliefs;
- (3) It is not staffed by public employees; and
- (4) The entity qualifies as a nonprofit organization under section 501(c)(3) of the Internal Revenue Code; and

WHEREAS, rape victims and victims of sexual assault deserve the fullest and best care available according to the standards set by the American College of Obstetricians and Gynecologists and other professional medical groups; now, therefore,

BE IT RESOLVED by the House of Representatives of the Twenty-fifth Legislature of the State of Hawaii, Regular Session of 2009, the House of Representatives concurring, in order to assure that victims of rape and sexual assault receive the fullest and best care available, urges all hospital emergency rooms in the State to adhere to the accepted standard of care for victims of rape and sexual assault, including the administration of emergency contraception without delay and without adding insult to injury by requiring patient transfer to another institution; and

BE IT FURTHER RESOLVED that all hospitals in the State are urged to ensure that all hospital emergency personnel are properly trained in handling the special needs of rape victims including the education and provision of emergency contraceptive services; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the Director of Health.

OFFERED BY: Marilyn B. Lee

Gontheri Thurston ANDREW

[Signature] [Signature] [Signature]

H.R. NO. 98

Memoranda

Barbara Manuato

MAR 12 2009

