

STAND. COM. REP. NO. 183

Honolulu, Hawaii

Feb 11, 2009

RE: H.B. No. 423
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 423
entitled:

"A BILL FOR AN ACT RELATING TO EMERGENCY CONTRACEPTIVES FOR
SEXUAL ASSAULT SURVIVORS,"

begs leave to report as follows:

The purpose of this bill is to ensure that women who have
been the victim of rape are provided with information on all their
treatment options by requiring hospitals to provide:

- (1) Information about emergency contraception; and
- (2) Emergency contraception, when requested to avoid an
unintended pregnancy from an act of violence.

The Sex Abuse Treatment Center, Planned Parenthood of Hawaii,
Hawaii Section of the American College of Obstetricians and
Gynecologists, Hawaii State Democratic Women's Caucus, Healthy
Mothers Healthy Babies Coalition of Hawaii, League of Women Voters
of Hawaii, American Civil Liberties Union of Hawaii, and several
concerned individuals supported this bill. The Department of
Health, St. Francis Healthcare System of Hawaii, Hawaii Family
Forum, Hawaii Catholic Conference, Hawaii Medical Center, and
several concerned individuals opposed this measure.

HB423 HD1 HSCR HLT HMS 2009-1735

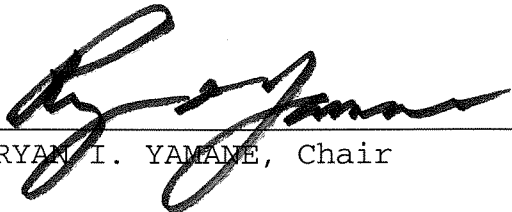


Your Committee has amended this bill by:

- (1) Providing a religious exemption to religiously affiliated hospitals claiming a religious objection;
- (2) Requiring the hospital given an exemption to provide immediate transportation for a victim of a sexual assault, at no cost to the victim, to an appropriate health care facility;
- (3) Providing that hospitals receiving an exemption must provide information to a victim of all treatment options they may receive from a health care facility the victim is being transported to;
- (4) Ensuring that the exempted hospital inform a victim of a sexual assault that refusal to provide emergency contraception to the victim is not the fault of the victim, but solely due to the hospital's religious affiliation; and
- (5) Making technical, nonsubstantive changes 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. 423, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 423, H.D. 1, and be referred to the Committee on Judiciary.

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



RYAN I. YAMANE, Chair



