
A BILL FOR AN ACT

RELATING TO FAMILY PLANNING.

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

1 SECTION 1. The legislature finds that fertility awareness
2 is a method of natural family planning that is an inexpensive
3 alternative to prescription contraception medications or costly
4 sterilization surgeries such as hysterectomy and vasectomy.
5 Fertility awareness is a method that couples may use for
6 determining the time of the month that the woman is most
7 fertile, and then use this information to either plan or prevent
8 pregnancy. Fertility awareness is also beneficial for women who
9 wish to prevent pregnancy without the use of hormone medications
10 or other drugs. The legislature further finds that fertility
11 awareness can be ninety-eight per cent effective if practiced
12 correctly. The legislature also finds that, as an alternative
13 form of birth control, fertility awareness may reduce health
14 care costs related to prescription medications and surgeries to
15 prevent pregnancy.

16 The purpose of this Act is to require physicians to offer
17 information on fertility awareness to patients prior to



1 prescribing a contraceptive medication or performing a
2 sterilization surgery.

3 SECTION 2. Chapter 453, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§453- Fertility awareness; information required. (a)
7 Effective July 1, 2011, a physician or surgeon licensed under
8 this chapter, prior to:

9 (1) Prescribing any contraception or birth control
10 medication to a patient; or

11 (2) Performing any medical procedure or surgery that will
12 render a patient sterile or unable to produce
13 children; provided that the medical procedure or
14 surgery is not medically necessary;

15 shall provide to the patient detailed information describing
16 fertility awareness.

17 (b) For the purposes of this section, "fertility
18 awareness" means a method of natural family planning used to
19 determine the fertile and infertile phases of a woman's
20 menstrual cycle to avoid or achieve pregnancy.

21 (c) Any physician or surgeon licensed pursuant to this
22 chapter who violates this section shall:



H.B. NO. 1541

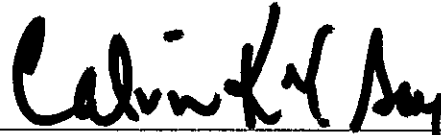
- 1 (1) Pay a fine of \$1,000 for each violation;
- 2 (2) Forfeit any reimbursement provided by a public or
- 3 private health insurer; and
- 4 (3) Be subject to disciplinary action by the Hawaii
- 5 medical board pursuant to section 453-8.5."

6 SECTION 3. New statutory material is underscored.

7 SECTION 4. This Act shall take effect on July 1, 2011.

8

INTRODUCED BY:



By Request

JAN 26 2011



Report Title:

Fertility Awareness; Physicians and Surgeons

Description:

Requires physicians and surgeons to provide information on fertility awareness to a patient before prescribing contraception medication or performing a procedure to render the patient unable to produce children.

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