

STAND. COM. REP. NO. 209

Honolulu, Hawaii  
Feb 11, 2011

RE: H.B. No. 127  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 127  
entitled:

"A BILL FOR AN ACT RELATING TO HEALTHCARE,"

begs leave to report as follows:

The purpose of this bill is to require hospitals that provide  
emergency care to provide certain services to a sexual assault  
survivor, including:

- (1) Providing medically and factually accurate and unbiased  
written and oral information about emergency  
contraception;
- (2) Informing female sexual assault survivors of the option  
to receive emergency contraception;
- (3) Providing emergency contraception upon request, when  
medically indicated; and
- (4) Ensuring that the appropriate staff are adequately  
trained with regard to emergency contraception  
information and accessibility, and sexual assault  
treatment options.



This measure also requires the Department of Health (DOH) to establish policies and procedures to monitor compliance and gives DOH the ability to set, charge, and collect fines and recover administrative fees and costs.

The City and County of Honolulu Department of the Prosecuting Attorney, American Civil Liberties Union of Hawaii, The Sex Abuse Treatment Center, Healthy Mothers Healthy Babies Coalition of Hawaii, Papa Ola Lokahi, Planned Parenthood of Hawaii, The League of Women Voters of Hawaii, Democratic Party of Hawaii Women's Caucus, Women's Coalition, and many concerned individuals testified in support of this bill.

The Hawaii Family Forum, Hawaii Catholic Conference, St. Francis Healthcare System of Hawaii, Hawaii Right to Life, Pro-Family Hawaii, and many concerned individuals opposed this measure. Kaiser Permanente Hawaii, Hawaii Health Systems Corporation, the Healthcare Association of Hawaii, and a concerned individual provided comments.

Your Committee has amended this bill by:

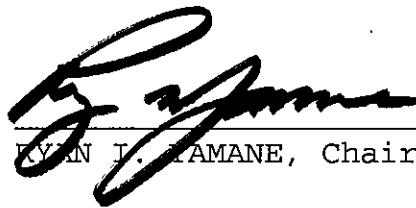
- (1) Referencing "providers", in addition to hospitals;
- (2) Defining "provider" as any entity that provides sexual assault survivor services in a non-hospital setting;
- (3) Specifying that "medical care" includes outside consultation and referrals;
- (4) Delineating services that are required of sexual assault service providers, including:
  - (A) Having certain medically trained personnel ready to respond within 30 minutes of admitting a sexual assault survivor;
  - (B) Providing medically accurate information;
  - (C) Providing transportation and the initial dose of medication, and counseling services at no cost to the provider; and
  - (D) Having staff available to provide services 24 hours per day, seven days a week;



- (5) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments 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. 127, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 127, H.D. 1, and be referred to the Committee on Judiciary.

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



---

RYAN J. MAMANE, Chair



