

Honolulu, Hawaii
Feb 2, 2012

RE: H.B. No. 127
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 127, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTHCARE,"

begs leave to report as follows:

The purpose of this measure is to ensure that survivors of sexual assault are provided the accepted standard of care when receiving emergency medical care at Hawaii's hospitals for sexual assaults, including:

- (1) Medically and factually accurate and unbiased written and oral information about emergency contraception;
- (2) Information about the option to receive emergency contraception;
- (3) Emergency contraception upon request, when medically indicated; and
- (4) Care by staff who are adequately trained with regard to emergency contraception information and accessibility, and sexual assault treatment options.

This measure also requires the Department of Health to establish policies and procedures to monitor compliance, and authorizes the Department of Health to set, charge, and collect fines and administrative fees and costs for noncompliance.

HB127 HD2 HSCR JUD HMS 2012-1445



The Hawaii State Commission on the Status of Women, Department of the Prosecuting Attorney of the City and County of Honolulu, Equality Hawaii, American Civil Liberties Union, Healthy Mothers Healthy Babies Coalition of Hawaii, Hawaii Women Lawyers, Planned Parenthood of Hawaii, Sex Abuse Treatment Center, Honolulu Pride, Community Alliance on Prisons, Hawaii State Democratic Women's Caucus, Hawaii State Coalition Against Domestic Violence, Gay Lesbian Bisexual and Transgender Caucus, Democratic Party of Hawaii, the Chair of the Hawaii State Commission on the Status of Women, a member of the Hawaii State Commission on the Status of Women, a member of the League of Women Voters, and a multitude of concerned individuals testified in support of this measure. The Department of Health testified in support of the intent of this measure.

St. Francis Healthcare System of Hawaii, Hawaii Catholic Conference, Hawaii Family Forum, Aloha Life Advocates, Pro-Family Hawaii, and numerous concerned individuals testified in opposition to this measure. The Healthcare Association of Hawaii and an individual provided comments.

Your Committee has amended this measure by:

- (1) Including mobile medical vans in the definition of "provider";
- (2) Deleting language delineating specific service requirements for providers;
- (3) Changing the date on which sanctions may first be issued to July 1, 2013;
- (4) Changing the effective date to July 1, 2012; and
- (5) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 127, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 127, H.D. 2.



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



GILBERT KEITH-AGARAN Chair



