

STAND. COM. REP. NO. **2255**

Honolulu, Hawaii

FEB 16 2012

RE: S.B. No. 2578
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 2578
entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to require informed
consent in certain circumstances before performing pelvic
examinations for training purposes on anesthetized or unconscious
female patients.

Your Committee received testimony in support of this measure
from the Hawaii State Commission on the Status of Women, Hawaii
State Democratic Women's Caucus, University of Hawaii John A.
Burns School of Medicine, American Civil Liberties Union of
Hawaii, and four individuals. Your Committee received comments on
this measure from the Hawaii Medical Board.

Your Committee finds that the University of Hawaii John A.
Burns School of Medicine's Department of Obstetrics, Gynecology,
and Women's Health has a policy of consent currently in place
regarding pelvic examinations under anesthesia. Your Committee
further finds that permitting the John A. Burns School of Medicine
to receive consent either verbally or in written form will allow
for the most flexibility for the medical students and their
patients. Your Committee would also like to note that this issue
was raised by a student of the John A. Burns School of Medicine
who was concerned with the state of practice regarding pelvic
examinations on anesthetized or unconscious women.

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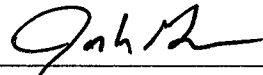


Your Committee has amended this measure by:

- (1) Deleting the statement that asserts that medical students often perform pelvic examinations for training purposes on anesthetized or unconscious female patients without first obtaining the patients' informed consent;
- (2) Allowing for either verbal or written informed consent for the pelvic examination; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 S.B. No. 2578, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2578, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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



JOSH GREEN, M.D., Chair



The Senate
Twenty-Sixth Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* <i>SB 2578</i>	Committee Referral: <i>HTH/JDL</i>	Date: <i>2/10/12</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
GREEN, M.D., Josh (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
BAKER, Rosalyn H.	✓			
CHUN OAKLAND, Suzanne	✓			
SHIMABUKURO, Maile	✓			
WAKAI, Glenn	✓			
SLOM, Sam				✓
TOTAL	<i>6</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>Clarence K. Nishihara</i></div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes