

Honolulu, Hawaii

**March 23**, 2012

RE: S.B. No. 3039  
S.D. 1  
H.D. 1

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

Sir:

Your Committee on Health, to which was referred S.B. No. 3039, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ANATOMICAL TRANSPLANTS,"

begs leave to report as follows:

The purpose of this measure, as received by your Committee, is to:

- (1) Prohibit a health care facility or health care provider from discriminating against a person who has human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), or AIDS-related complex (ARC) and who is in need of an organ transplantation by refusing to perform the organ transplantation; and
- (2) Specify that persons with HIV, AIDS, or ARC shall not be prohibited from receiving an anatomical gift.

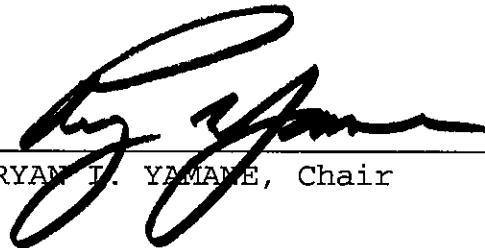
American Civil Liberties Union of Hawaii, West Oahu Hope For A Cure Foundation, Inc., and several individuals testified in support of this measure. The Department of Health, The Queen's Health Systems, and an individual commented on this measure.



Upon consideration, your Committee has amended this measure by deleting its substance and inserting new provisions, the purpose of which is to require the Department of Health to submit a report to the Legislature no later than 20 days prior to the convening of the Regular Session of 2013 on the total number of individuals and the number of persons with HIV, AIDS, and ARC, who have received organ transplants from a medical facility or center in the State since 2009, including kidney and liver transplants.

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. 3039, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3039, S.D. 1, H.D. 1, and be referred to the Committee on Judiciary.

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



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RYAN I. YAMANE, Chair



