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THE HONORABLE JOSH GREEN, CHAIR
SENATE HEALTH COMMITTEE
Twenty-sixth State Legislature
Regular Session of 2011
State of Hawai'i

February 2, 2011

RE: S.B. 218 AND S.B. 611; RELATING TO HEALTHCARE.

Chair Green, Vice Chair Nishihara, and members of the Senate Committee on Health, the Department of the Prosecuting Attorney submits the following testimony in support of S.B. 218, which requires that hospitals provide sexual assault survivors with medically and factually accurate and unbiased information regarding emergency contraception. .

The purpose of S.B. 218 is to require that hospitals:

- “(1) Provide any female sexual assault survivor with medically and factually accurate and unbiased written and oral information about emergency contraception;*
- (2) Orally inform each female sexual assault survivor of the option to receive emergency contraception at the hospital;*
- (3) When medically indicated, provide emergency contraception to each female sexual assault survivor who requests it, including the initial dose that can be taken at the hospital, and any further dosage as necessary; and*
- (4) Ensure that each person at the hospital who may provide emergency medical care shall be trained to provide a sexual assault survivor with medically and factually accurate and unbiased written and oral information about emergency contraception and sexual assault treatment options and access to emergency contraception.”*

While the language of this bill provides new mandates for hospitals in Hawaii, these requirements are reasonably related to addressing the acute medical, psychological, and emotional needs of sexual assault survivors. Furthermore the provisions of this measure are consistent with the proper standard of professional care endorsed and recommended by the American Medical Association and the American College of Obstetrics and Gynecology. Although sexual assault is clearly one of the most traumatic crimes that target Hawaii's women, the fear of an unwanted pregnancy and the potentially damaging medical and psychological effects that accompany it can exponentially increase the level of harm that it inflicts upon its victims. Those who have not experienced this horror cannot imagine the agony that victims experience. What these victims need is calm, caring, and supportive treatment that can help to lessen the traumatic effects of the sexual assault at a time when a victim may need to make many difficult decisions. Their ability to make the correct decisions for them is predicated on the availability of information that is accurate, thorough, and unbiased. We must assure that all victims of sexual assault in Hawaii have equal access to factual information that can facilitate the making of choices that may affect the victim for a lifetime. To do less deprives victims of the opportunity for self determination that must be available to insure their ability to transition from victim to survivor. The passage of S.B. 218 will go a long way toward fulfilling our obligation to respond to sexual assault survivors in a compassionate and medically effective manner.

For all the reasons cited above, we strongly urge that you support S.B. 218. While the intent of S.B. 611 is similar, it reflects an outdated version of this measure, and thus we recommend that you adopt the language contained in S.B. 218. Thank you for your time and consideration.

Feleai Tau

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 02, 2011 3:29 PM
To: HTHTestimony
Cc: LionEntHI@aol.com
Subject: Testimony for SB218 on 2/2/2011 2:45:00 PM

**LATE
TESTIMONY**

Testimony for HTH 2/2/2011 2:45:00 PM SB218

Conference room: 229
Testifier position: oppose
Testifier will be present: No
Submitted by: Lleander Jung
Organization: Individual
Address: Honolulu, HI 96816
Phone:
E-mail: LionEntHI@aol.com
Submitted on: 2/2/2011

Comments:

Once upon a time people were more obese & diabetes increased. With nutritional education, more people are eating healthier and smarter. Similarly, taxpayer's money goes down the drain for sexual consequences.

EC is one such "solution" which only benefits the pharmaceuticals producing them. EC has both abortive and contraceptive goals. By trying to change the definition of when human life begins, playing around with the meaning of the word "pregnancy", the intent is still the same...to prevent human life from being born alive.

EC plays that role as a chemically altering drug. One method is by preventing implantation of a fertilized egg in the womb thus destroying the beginning of human life, a scientific fact. Those who try to redefine human life beginnings argue amongst themselves. The fact is viable or not, the genetic combination of the sexual egg and the sperm produces human life which if UNDISTURBED becomes a human being. You and I started that way.

In principal, EC is more money for all these so called "for women" organizations which conveniently forgets that the main principle of life is "Every human has a right to life once conceived, no matter how conceived." The result of all these illogical logic has been more STDs, more irresponsible sex while treating the human child as an unwanted consequence. These organizations all seek taxpayers monies. Think about their statistics. If every "sexually raped" individual were offered a EC pill @ the cost of \$27 per pill with several hundreds a year (as vaguely testified by SATC,) multiply that for a year during this period of fiscal constraint. One hundred ECs means \$2,700 more for SATC.

Has SATC being effective? What kind of education do they take part in to promote defensive sex or being safe?

How about teaching women about their cycle of fertility and non fertile period - The science of Natural Family Planning has helped them be more accurate...WHO's estimate 98% accuracy. Granted a sexually abused woman does not want to be raped. However, the whole Culture of sexual freedom, pornography promotes the objectification of women as sexual "property" a result of unbridled passion.

Teach a woman how to recognize and be mistress over her own reproductive cycle and you will find the rates of unwanted pregnancy dropping naturally.

Please do not pass SB218 or SB 611 although most of the testimony is for it.

A legislator's ultimate responsibility is to the society as a whole. Adoption is not promoted thus foster care is shunned as children find themselves unwanted and loved, a by product of passion which is easily terminated.

Education is where we need to place our monies to spacing of children for the future of Hawaii and the nation.

Thank you.

**LATE
TESTIMONY**



LATE

Committee: Committee on Health
Hearing Date/Time: Wednesday, February 2, 2011, 2:45 p.m.
Place: Conference Room 229
Re: Testimony of the ACLU of Hawaii in Support of S.B. 218

Dear Chair Green and Members of the Committee on Health:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in support of S.B. 218, which requires hospitals to provide survivors of sexual assault with medically and factually accurate and unbiased information regarding emergency contraception.

I would like to thank Senator Green for convening today's hearing as well as for his history of leadership on reproductive rights issues. By expanding access to a critical, yet underutilized, means of pregnancy prevention, this bill would help ensure that Hawaii women enjoy comprehensive reproductive health rights at a time when they are under relentless attack at the federal level.

Emergency contraception is often misunderstood and underutilized. Emergency contraceptive pills are really just high doses of oral contraceptives, the birth control pills that millions of U.S. women take every day. EC has been proven highly effective in preventing unintended pregnancy when taken no more than 72 hours after unprotected intercourse; it is most effective when taken within 12 hours. EC works by preventing ovulation, fertilization, or implantation. It does not disrupt an established pregnancy, which the medical community defines as beginning with implantation. EC should not be confused with mifepristone (RU-486), a drug approved by the Food and Drug Administration in September 2000 for early abortion. EC prevents unwanted pregnancy. It does not induce an abortion.

Despite the tremendous potential of EC to drastically reduce unintended pregnancy, it is not nearly as available nor as widely known as it should be. The bill you consider today would dramatically expand access to EC and provide a crucial boost to reproductive freedom and women's health.

S.B. 218 would vastly expand access to emergency contraception for women in Hawaii, with the potential to bring about a dramatic decrease in unintended pregnancies. We know that time is of the essence in ensuring the effectiveness of EC. This problem is exacerbated in rural areas of Hawaii with fewer medical resources.

Research suggests that widespread fast access to EC would prevent nearly half of the unintended pregnancies in the United States, a number estimated to be as high as 2.5 million each year.

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Chair Green and Members of the Committee on
Health,
February 2, 2011
Page 3 of 3

A rape survivor is often taken to a hospital by the police or emergency medical technicians. Under these conditions, most women lack the time, information, and opportunity to assess a given hospital's EC policy and ask to be taken to a facility that provides EC. Nor should she be expected to do so after surviving such a brutal crime. EC is basic health care for rape survivors and religious objections cannot be allowed to stand against the urgent needs of a rape survivor. Moreover, hospitals treat and employ people of many faiths; they should not be allowed to impose one set of religious beliefs on the people of diverse backgrounds who provide and seek their care.

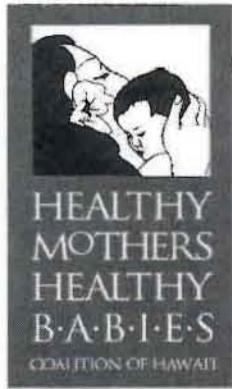
In short, a hospital's failure to provide EC unacceptably leaves women at risk for becoming pregnant as a result of the assault. This bill would ensure that hospitals abide by the standard of care when treating rape survivors. For all these reasons, the ACLU of Hawaii urges support for S.B. 218.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 45 years.

Thank you for this opportunity to testify.

Sincerely,
Laurie Temple
Staff Attorney
ACLU of Hawaii

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LATE

January 31, 2011

TO: Senator Josh Green, M.D., Chair, Seantor Clarence K. Nishihara, Vice Chair and members of the Committee On Health
FROM: Jackie Berry, Executive Director, Healthy Mothers Healthy Babies
RE: SB 218 Relating to Healthcare
HEARING: Wednesday, February 2, 2011 at 2:45pm

HMHB is a statewide coalition of public and private agencies and individuals committed to the improvement of maternal and infant health status in Hawaii through education, coordination and advocacy. HMHB is testifying today in support of SB 218 to ensure that victims of sexual assaults are given information about emergency contraception when they receive medical care at a hospital for sexual assault, and those they have immediate access to emergency contraception if they request it.

Emergency Contraception (EC) is a safe and effective FDA approved method of preventing unintended pregnancy following unprotected sex. Medical research strongly indicates that the sooner EC is administered post exposure, the better the change of preventing an unintended pregnancy. EC will not terminate a pregnancy if a woman is already pregnant. The American College of Emergency Physicians (ACEP) and the American College of Obstetricians and Gynecologists (ACOG) concur that EC counseling and treatment should be offered to all victims of sexual assault if it is determined that they are at risk for pregnancy.

The hospital is often the first point of medical contact for victims of sexual assault and those hospitals should be providing the full range of rape counseling and treatment services to those who seek care. Women have a right to receive all information on treatment options for their health and well being. Facilities that do not provide access to this information and care are depriving their patients of the right to make an informed decision for themselves regarding preventing an unintended pregnancy that may result from rape.

Fifteen states and the District of Columbia have adopted legislation requiring the provision of information about and/or access to EC to sexual assault victims in emergency rooms. The Federal Government standardized rules regarding EC and requires that all military and federal hospitals stock EC.

Thank you for opportunity to testify

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Papa Ola Lokahi
Nana I Ka Pono Na Ma

LATE

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Papa Ola Lokahi

is a non-profit Native Hawaiian organization founded in 1988 for the purpose of improving the health and well-being of Native Hawaiians and other native peoples of the Pacific and continental United States.

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TESTIMONY: SB 218, RELATING TO HEALTHCARE

SENATE COMMITTEE ON HEALTH

Sen. Josh Green, MD, Chair

Sen. Clarence Nishihara, Vice Chair

Wednesday, February 2, 2011

2:45 pm

Conference Room 229

State Capitol

Hardy Spoehr, Executive Director

Aloha Chairman Green, Vice Chair Nishihara, and Members of the Senate Committee on Health. Papa Ola Lokahi expresses its strong support for this measure.

It's a sad commentary on our island society that a bill (and law) is needed to provide this critically important service to those individuals who have undergone this type of trauma.

Thank you for the opportunity to provide strong supportive testimony for this important measure.

hawaii family forum **LATE TESTIMONY**

Email to: HTHTestimony@Capitol.hawaii.gov
Hearing on: February 2, 2011 @ 245 p.m.
Conference Room #229

DATE: January 31, 2011

TO: Senate Health Committee
Senator Josh Green, Chair
Senator Clarence Nishihara, Vice Chair

FROM: Allen Cardines, Jr., Executive Director

RE: Opposition to SB 218 Relating to Healthcare
Opposition to SB 611 Relating to Emergency Contraceptives for Sexual Assault Survivors

Honorable Chairs and members of the Senate Committee on Health, I am Allen Cardines, **representing the Hawaii Family Forum**. Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii, representing a network of various Christian Churches and denominations.

We oppose both of these measures because we believe that the government should never force religious institutions to act contrary to their religious belief. Forcing Catholic hospitals to offer contraceptives in rape cases when an early abortion may result conflicts with their religious and ethical duty to do no harm to human life, including the unborn.

Let's be clear, however, that the Hawaii Family Forum fully supports the compassionate care of rape victims. We understand that the Hawaii Medical Centers provide a full range of services responding to sexual assault.

We respectfully suggest the legislature can achieve its purposes and balance religious liberty, tolerance and diversity of opinion by granting a religious exemption.

Mahalo for the opportunity to testify.