

STAND. COM. REP. NO. 380

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 1109  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committees on Health and Judiciary and Labor, to which was referred S.B. No. 1109 entitled:

"A BILL FOR AN ACT RELATING TO HOSPITAL STANDARDS FOR SEXUAL ASSAULT VICTIMS,"

beg leave to report as follows:

The purpose and intent of this measure is to establish uniform hospital standards for the care of female sexual assault victims and ensure that, when receiving emergency medical care, female sexual assault victims are:

- (1) Informed about emergency contraception; and
- (2) Given access to emergency contraception.

Your Committees received testimony in support of this measure from the Department of Human Services; Hawaii State Commission on the Status of Women; Sex Abuse Treatment Center; Hawaii Women's Coalition; Hawai'i State Democratic Women's Caucus; Domestic Violence Action Center; Hawaii Medical Association; Community Alliance on Prisons; Healthy Mothers Health Babies; American Association of University Women - Windward Oahu Branch; and thirty individuals. Your Committees received testimony in opposition to this measure from the Hawaii Catholic Conference and one individual.

Your Committees find that sexual violence against women remains a significant public health issue in Hawaii. Your



Committees received testimony that, according to a recent report of the Attorney General of the State of Hawaii, there were three hundred forty-three reported cases of forcible rape in Hawaii in 2011 and that, according to the U.S. Department of Justice, sixty-five percent of rapes and sexual assaults between 2006 and 2010 went unreported. Your Committees received testimony from the Department of Human Services that the average rate of pregnancy resulting from rape is between five and eight percent, with an estimated thirty-two thousand rape-related pregnancies in the U.S. Your Committees also received testimony that pregnancy prevention is a time sensitive issue, as emergency contraception is most effective when taken within seventy-two hours of a sexual assault.

Your Committees received testimony that the American Medical Association and the American College of Obstetricians and Gynecologists support and endorse a policy that sexual assault victims be informed about and provided emergency contraception, and sixteen states have adopted legislation requiring hospital emergency rooms to provide sexual assault victims information about and access to emergency contraception.

Your Committees find that Hawaii has no standard policy or law regarding the provision of emergency contraception information and services to female sexual assault victims in hospital emergency rooms. While some hospitals provide information about emergency contraception or provide emergency contraception to sexual assault victims, others do not.

Your Committees believe that it is important to establish uniform hospital standards in Hawaii that require hospital emergency rooms to provide female sexual assault victims with information about and access to emergency contraception.

Your Committees have amended this measure by:

- (1) Clarifying that hospital staff that do not provide emergency medical care shall not provide information about emergency contraception to a female sexual assault victim or orally inform a female sexual assault victim of the option to receive emergency contraception at the hospital; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

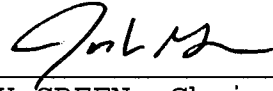


As affirmed by the records of votes of the members of your Committees on Health and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 1109, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1109, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on behalf of the members of the Committees on Health and Judiciary and Labor,



CLAYTON HEE, Chair

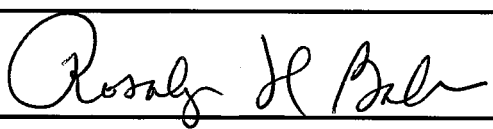


JOSH GREEN, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i


**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1109	HTH/JDL, WAM	02/11/2013		
<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, Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam			✓	
<b>TOTAL</b>	4	—	1	—
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
<b>Distribution:</b>				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes

The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1109	HTH/JDL, WAM	02.12.2013		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike			✓	
IHARA, Jr., Les	✓			
SLOM, Sam				✓
<b>TOTAL</b>	3		1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes