

Honolulu, Hawaii

FEB 14 2014

RE: S.B. No. 2569  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Madam:

Your Committees on Health, Commerce and Consumer Protection,  
and Judiciary and Labor, to which was referred S.B. No. 2569  
entitled:

"A BILL FOR AN ACT RELATING TO HOME BIRTH,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a Home Birth Safety Board to adopt rules and protocols for home birth providers;
- (2) Require home birth providers to be licensed beginning on July 1, 2015;
- (3) Require home birth providers to meet minimum educational and training requirements;
- (4) Require the Home Birth Safety Board to investigate complaints concerning violations of its rules and to take disciplinary action when necessary;
- (5) Limit home births to clients with normal, low-risk pregnancies;
- (6) Require licensed home birth providers to use informed consent agreements with their clients; and



- (7) Require licensed home birth providers to follow record keeping and reporting requirements.

Your Committees received testimony in support of this measure from the Hawaii Medical Association, American Congress of Obstetricians and Gynecologists, Hawaii State Center for Nursing, and six individuals. Your Committees received testimony in opposition to this measure from the American College of Nurse-Midwives, Hawaii Association for Justice, Hawaii Association of Professional Nurses, Healthy Mothers Healthy Babies Coalition of Hawaii, and four individuals. Your Committees received comments on this measure from the Department of Commerce and Consumer Affairs; Board of Nursing; Home Birth Kauai; Board of Naturopathic Medicine; and two individuals.

Prior to the hearing on this measure, your Committees posted and made available for public review a proposed S.D. 1, which is substantially similar but, among other differences, narrows the scope of providers to whom the measure applies. Specifically, the proposed S.D. 1:

- (1) Establishes a Home Birth Board to adopt rules and protocols for midwives and licensure of midwives;
- (2) Requires midwives to be licensed and meet minimum educational and training requirements;
- (3) Requires the Home Birth Board to investigate complaints concerning violations of its rules and to take disciplinary action when necessary;
- (4) Limits home births to clients with low-risk pregnancies;
- (5) Requires licensed midwives to use informed consent agreements with their clients; and
- (6) Requires licensed midwives to follow record keeping and reporting requirements.

Your Committees received testimony in support of the proposed S.D. 1 from the Hawaii Medical Association, American Congress of Obstetricians and Gynecologists, Kapiolani Medical Center for Women and Children, and several individuals. Your Committees received testimony in opposition to the proposed S.D. 1 from the Office of Hawaiian Affairs, Hawaii State Center for Nursing,



Midwives' Alliance of Hawaii, The MOM Hui, Home Birth Kauai, Healthy Mothers Healthy Babies Coalition of Hawaii, and several individuals. Your Committees received comments on the proposed S.D. 1 from the Department of Commerce and Consumer Affairs; Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs; American College of Nurse-Midwives; Midwives Alliance of North America; and three individuals.

Your Committees find that some families choose to birth at home for personal, traditional, cultural, or spiritual reasons. Your Committees further find that families have a right to make personal medical decisions in consultation with a health care provider of their choice. This measure encourages home birth practitioners, the medical community, public officials, and members of the public to come together to share their valuable perspectives and engage in discourse about home birth in Hawaii, with the goal of improving home birth experiences across the State.

Your Committees have amended this measure by deleting its contents and inserting language to;

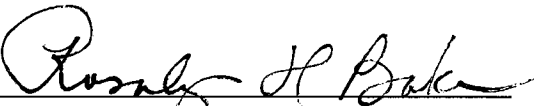
- (1) Establish the home birth task force;
- (2) Require the task force to convene no less than once a month and include neighbor island representation;
- (3) Suggest issues to be addressed by the task force;
- (4) Require the task force to report its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2015;
- (5) Make an appropriation to fund the convening and operations of the home birth task force; and
- (6) Insert an effective date of July 1, 2014.


As affirmed by the records of votes of the members of your Committees on Health, Commerce and Consumer Protection, and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2569, as amended herein, and recommend that it pass Second

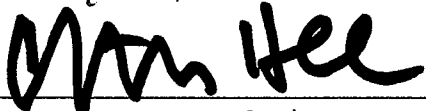


Reading in the form attached hereto as S.B. No. 2569, S.D. 1, and  
be referred to the Committee on Ways and Means.

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

  
\_\_\_\_\_  
ROSALYN H. BAKER, Chair

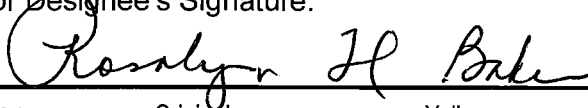
  
\_\_\_\_\_  
JOSH GREEN, Chair

  
\_\_\_\_\_  
CLAYTON HEE, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

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


Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2569	HTH/CPN/JDL, WAM	2-12-2014		
<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)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
<b>TOTAL</b>	5	-	-	-
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



The Senate  
 Twenty-Seventh Legislature  
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**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <i>SB 2569</i>	Committee Referral: <i>HTH/CPN/JDL, WAM</i>	Date: <i>2/12/14</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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood	✓			
IHARA, Jr., Les	✓			
SOLOMON, Malama				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<i>6</i>			<i>1</i>
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				

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