Honolulu, Hawaii

March 4

, 2016

RE: H.B. No. 2084

H.D. 2

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Eighth State Legislature Regular Session of 2016 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2084, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INSURANCE,"

begs leave to report as follows:

The purpose of this measure is to prohibit the denial, exclusion, or limitation of health care services or treatment by a health insurance provider to a person on the basis of a person's actual gender identity or perceived gender identity.

The Hawaii Civil Rights Commission, a Councilmember of the Kauai County Council, LGBT Caucus of the Democratic Party of Hawaii, Equality Hawaii, Kaiser Permanente, American Civil Liberties Union of Hawaii, Pride at Work Hawaii, Hawk Health, and numerous concerned individuals supported this measure. The Department of Commerce and Consumer Affairs, Hawaii Medical Service Association, and a concerned individual provided comments.

Your Committee finds that the practice of denying or limiting health insurance coverage, including hormone replacement therapy before or after surgery, to a person based on gender identity or gender expression is against public policy and is prohibited.

Your Committee has amended this measure by:

(1) Clarifying the definition of "gender transition" to mean the process of a person changing the person's outward

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appearance or sex characteristics to accord with the person's actual gender identity; and

(2) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2084, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2084, H.D. 2.

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

KARL RHOADS, Chair

State of Hawaii House of Representatives The Twenty-eighth Legislature

HSCR 1006-16

Record of Votes of the Committee on Judiciary

Bill/Resolution No.: Committee #B 2084, HD / CPC	Referral:	Dates	02/25	>/16
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)				
2. SAN BUENAVENTURA, Joy A. (VC)		_		
3. BELATTI, Della Au				
4. BROWER, Tom				
5. CREAGAN, Richard P.				
6. HASHEM, Mark J.				·
7. KAWAKAMI, Derek S.K.				
8. LEE, Chris				
9. MORIKAWA, Dee				
10. NAKASHIMA, Mark M.				
11. TAKAYAMA, Gregg				
12. WOODSON, Justin H.				
13. McDERMOTT, Bob				
14. THIELEN, Cynthia				
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TOTAL (14)	11			2
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				