

JAN 24 2019

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# A BILL FOR AN ACT

RELATING TO HEALTH.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that every woman who  
2 chooses to give birth or considers giving birth in Hawaii has  
3 the right to access information on the birthing process, to make  
4 informed decisions about her birthing plan, to express her  
5 choices and preference, and to choose her care provider. As  
6 part of her rights, a woman may choose to seek practitioners of  
7 the midwife model of care for care and treatment before, during,  
8 and after her pregnancy.

9           The midwife model of care is based on treating pregnancy  
10 and childbirth as normal life events and encourages hands-on  
11 care before, during, and after pregnancy. The midwife model of  
12 care includes:

13           (1) Monitoring the physical, psychological, and social  
14           well-being of the woman throughout the childbearing  
15           cycle;

16           (2) Providing the woman with individualized education,  
17           counseling, and prenatal care; continuous hands-on



1 assistance during labor and delivery; and postpartum  
2 support;

3 (3) Minimizing technological interventions; and

4 (4) Identifying and referring women who require  
5 obstetrical attention.

6 The purpose of this Act is to ensure women have access to  
7 both information about the practice of midwifery, including  
8 practices that protect or promote traditional native Hawaiian  
9 and other indigenous or cultural birth practices, and birth  
10 practitioners who follow the midwife model of care.

11 SECTION 2. Chapter 321, part XXV, Hawaii Revised Statutes,  
12 is amended by adding a new section to be appropriately  
13 designated and to read as follows:

14 "§321- Midwifery. (a) Consumers shall have access to  
15 multiple routes of midwifery care and midwifery pathways to  
16 allow them to choose a birth plan and birth practitioner that  
17 supports their cultural or religious beliefs.

18 (b) Traditional native Hawaiian and other indigenous or  
19 cultural beliefs and practices may be exercised to the fullest  
20 extent allowed under applicable federal law.



1        (c) Notwithstanding any provision to the contrary in this  
2 chapter, birth practitioners shall ensure consumer access to all  
3 pertinent birth education information and materials. Such  
4 educational materials and midwifery care shall be provided in a  
5 form and manner to ensure the consumer is able to comprehend  
6 what is being communicated to them."

7        SECTION 3. New statutory material is underscored.

8        SECTION 4. This Act shall take effect on July 1, 2019.

9

INTRODUCED BY: 



# S.B. NO. 1438

**Report Title:**

Midwifery; Cultural Practices

**Description:**

Ensures access to information about multiple midwifery pathways. Requires birth practitioners to provide all pertinent birth education information and materials in a manner that is comprehensible by the consumer.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

