

Honolulu, Hawaii

, 2020

FEB 07

RE: H.B. No. 2459

H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 2459
entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL AUTONOMY,"

begs leave to report as follows:

The purpose of this measure is to allow conscientious beliefs
as sufficient grounds for exemption to any vaccination
requirements in the State.

Your Committee received testimony in support of this measure
from the Informed Consent Action Network, National Vaccine
Information Center, Patients Without Time, Hawaii For Informed
Consent, Arthritis Laser Center, Association of American
Physicians and Surgeons, Hawaii Society of Naturopathic
Physicians, Seeds of Truth, Hawaii Association of Independent
Schools, and over two hundred individuals. Your Committee
received testimony in opposition to this measure from the
Department of Health, Hawaii Medical Association, Kona Community
Hospital, West Hawaii Region, Hawaii Health Systems Corporation,
American Academy of Pediatrics, Hawaii Chapter, and numerous
individuals. Your Committee received comments on this measure
from the Department of Education.

Your Committee finds that while vaccines may be safe and
effective for many individuals, like all pharmaceutical products,



they may also carry risk of injury, death, and failure to prevent infection in others. Individuals may object to vaccines for medical and religious reasons. Additionally, some individuals may object to one, some, or all vaccines based on moral conscience alone.

Your Committee further finds that immunization programs are sources of contention, but also can serve as protection. Although no vaccine is completely effective, for some diseases, a highly vaccinated population is needed to prevent the spread of disease. Concerns surrounding measles outbreaks, such as the recent outbreak in Samoa, and the concerns surrounding the coronavirus, are two examples of situations where individuals would likely want access to vaccinations.

Your Committee notes that concerns have been raised about the Department of Health's current procedures, under which medical authorized exemptions to vaccinations may be granted. Your Committee believes that a study associated with medical authorized exemptions from required vaccinations, which is designed to identify and report on various procedures within the State and around the country, is a prudent way to examine this important issue.

Your Committee has amended this measure by:

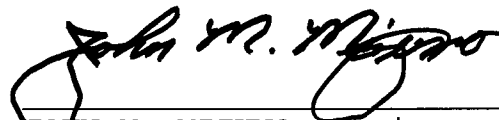
- (1) Deleting contents that would have authorized conscientious beliefs as a basis for exemption from vaccination requirements;
- (2) Requiring the Department of Health to perform a study regarding various procedures associated with medically authorized exemptions from required vaccinations, including a report on the Department's current procedures for medical authorized exemptions, best practices and procedures around the country for medical authorized exemptions, and requirements in other states for the human papillomavirus vaccine;
- (3) Requiring the Department of Health to submit a report to the Legislature prior to the Regular Session of 2021;
- (4) Changing its effective date to July 1, 2020, to encourage further discussion; and



- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2459, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2459, H.D. 1, and be referred to your Committee on Judiciary.

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



JOHN M. MIZUNO, Chair



