

STAND. COM. REP. NO.

2071

Honolulu, Hawaii

FEB 04 2022

RE: S.B. No. 2241
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Health, to which was referred S.B. No. 2241 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL CARE FOR MINORS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Permit minors to consent to medical care related to the diagnosis or treatment of Human Immunodeficiency Virus (HIV) or the prevention of HIV;
- (2) Provide that a minor, under certain circumstances, shall not be liable for payment for treatment or prevention of HIV; and
- (3) Authorize physician assistants, in addition to physicians and advanced practice registered nurses, to render medical care and services to minors.

Your Committee received testimony in support of this measure from the Department of Health, Hawai'i Health & Harm Reduction Center, Stonewall Caucus for the Democratic Party of Hawai'i, Hawaii Youth Services Network, Kaiser Permanente Hawaii, and six individuals.



Your Committee finds that existing law allows a minor to receive services related to sexual health, but does not allow a minor to access medications to prevent HIV. Minors who are at risk for HIV are often unwilling or unable to talk to their parents about their risk behaviors. Further, minors may avoid seeking care for sexually transmitted disease if they must involve their parents or guardian. This measure allows minors age fourteen to seventeen to obtain treatment for sexually transmitted disease without parent or guardian involvement.

Your Committee notes the concerns of the Hawai'i Health & Harm Reduction Center, which testified that the measure should also ensure that if a minor accesses HIV prevention and treatment that is covered by a parent or guardian's health plan, the health plan should not disclose to the parent or guardian that the minor sought treatment.

Accordingly, your Committee has amended this measure by:

- (1) Prohibiting health plans of the parents or guardians of minors, which cover the minor's treatment or prevention of HIV, from notifying the parents or guardians that the minor sought HIV treatment or prevention;
- (2) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 S.B. No. 2241, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2241, S.D. 1, and be referred to your Committee on Judiciary.



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



JARRETT KEOHOKALOLE, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 2241	Committee Referral: HTH, JDC	Date: 1-31-2022
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The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOPE, Jarrett (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	—	—	—

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:
Rosalyn H. Baker

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***Only one measure per Record of Votes**