

STAND. COM. REP. NO. 836

Honolulu, Hawaii

MAR 05 2021

RE: S.B. No. 25
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 25, S.D. 1, 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 the 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 LGBT Caucus of the Democratic Party of Hawai'i, Maui AIDS Foundation, Hawaii Youth Services Network, Kaiser Permanente Hawai'i, Trevor Project, and six individuals.

Your Committee finds that persons between the ages of thirteen and twenty-four accounted for twenty-one percent of new



HIV diagnoses in 2017. Of those, forty-four percent were unaware of their HIV status. This age group is consistently the least likely to test for HIV, receive HIV treatment or be virally suppressed, or be offered HIV prevention treatment. Your Committee further finds that the ability to obtain HIV related medical care without the involvement of a parent or guardian will benefit minors who have been diagnosed with HIV or are at risk of exposure to HIV.

Your Committee additionally notes that the questions of who is ultimately responsible for payment for a minor's medical care if the minor independently consents to care, and whether a healthcare provider may refuse treatment for failure to pay are not resolved by this measure, and that these questions may merit further discussion as this measure proceeds through the legislative process.

Your Committee has amended this measure by:

- (1) Inserting an effective date of May 6, 2137, to encourage further discussion; and
- (2) 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 25, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 25, S.D. 2.

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



KARL RHOADS, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:
SB 25 SD 1	HTH , JDC	03/02/2021

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
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓			
ACASIO, Laura	✓			
GABBARD, Mike			✓	
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	6	0	1	0

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

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*Only one measure per Record of Votes