



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Honolulu, HI 96801-3378
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**Testimony in SUPPORT of H.B. 1675 H.D.1
(RELATING TO MEDICAL CARE FOR MINORS)**

REPRESENTATIVE AARON JOHANSON LING, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Hearing Date: 2/11/2022 Room Number: 329

1 **Fiscal Implications:** None

2 **Department Testimony:** Thank you for the opportunity to testify in SUPPORT of H.B. 1675
3 H.D 1 which would permit minors, as currently defined in §577A-1, HRS, “from the age of
4 fourteen to seventeen inclusive,” to consent to medical care related to the diagnosis, treatment, or
5 prevention of HIV. Parents or legal guardians would not be able to abrogate consent. The minor
6 would not be liable for payment. This measure would also update archaic terminology in §577A,
7 HRS, by replacing “venereal disease” with “sexually transmitted infection.”

8 The department strongly supports this bill as it could help prevent HIV acquisition in
9 minors and supports critical treatment of minors diagnosed with HIV. Safe, highly effective
10 medications for the treatment and prevention of HIV need to be accessible for all individuals
11 diagnosed with HIV or at high risk of acquiring HIV. Medications taken by an HIV-uninfected
12 individual to prevent acquisition of HIV are highly effective and were approved for use in
13 minors in 2018.

14 Current statutes do not appear to permit a minor to consent to medical care related to the
15 prevention of HIV. This is a critical gap in access to medical care. This measure would resolve
16 this gap. Permitting minors who cannot or will not seek the consent of their parents or guardians
17 to consent to HIV medical care is essential to the health of the minor and a valuable step in
18 ending the HIV epidemic in Hawaii.

19 Thank you for the opportunity to testify on this measure.

1 **Offered Amendments:** None

**STONEWALL
CAUCUS**

FORMED IN 2001



THE FIRST CAUCUS OF THE
**DEMOCRATIC PARTY
OF HAWAII**

January 28, 2022

House's Committee on Consumer Protection & Commerce
Hawaii State Capitol
415 South Beretania Street
Honolulu, HI 96813

Hearing: Friday, February 11, 2022 – 2:00 p.m.

RE: STRONG SUPPORT for House Bill 1675 HD 1

Aloha Chair Johanson, Vice Chair Kitagawa, and fellow committee members,

I am writing in STRONG SUPPORT to House Bill 1675 HD 1 on behalf of the Stonewall Caucus of the Democratic Party of Hawaii (formerly the LGBT Caucus). HB 1675 HD 1 will permit minors to consent to medical care and services related to the diagnosis, treatment, or prevention of HIV. Specifies that a minor, under certain circumstances, shall not be liable for payment associated with the diagnosis, treatment, or prevention of HIV. Authorizes physician assistants, in addition to physicians and advanced practice registered nurses, to render such medical care and services to minors.

Coming out is personal decision and no minor should have to come out to get access to life saving HIV treatment or HIV prevention drugs.

The Stonewall Caucus is glad to see that HB 1675 HD 1 also includes coverage for pre-exposure prophylaxis (PrEP). PrEP prevents the spread of HIV especially if used in combination with condoms. New HIV cases are on the rise and we need to ensure that everyone that wants and needs it has access to PrEP. The upfront cost of PrEP is 1,000 times cheaper than treating HIV or AIDS.

We hope you all will support this important piece of legislation.

Mahalo nui loa,

Michael Golojuch, Jr.
Chair and SCC Representative
Stonewall Caucus for the DPH

To: Committee on Consumer Protection and Commerce

Hearing Date/Time: Friday February 11, 2022 @ 2:00 PM

Re: Testimony in Strong Support of HB 1675

From: Heather Lusk, Hawaii Health and Harm Reduction Center

Dear Chair Johanson, Vice Chair Kitagawa and members of the committee:

The Hawaii Health & Harm Reduction Center (HHHRC) strongly supports HB 1675 which would give minors consent to life-saving HIV prevention medications called Pre-exposure Prophylaxis or PrEP. The Centers for Disease Control and Prevention strongly recommend PrEP as one of the most effective biomedical interventions to prevent HIV. The current HRS for minor consent does allow minors to consent to treatment of HIV and other sexually-related diseases but not have access to medications like PrEP to prevent the infections.

HHHRC respectfully asks for one important issue to be added to the bill, in collaboration with the health plans to ensure that if a minor does access PrEP and it is covered by the minor's parents' health insurance, that the services not be disclosed to the parents. Research indicates that if young people have to disclose sexually-related issue to parents, they may decide to avoid the services altogether. We respectfully submit this language:

Requiring a covered entity, upon notification that minor—initiated HIV prevention and/or PrEP services should not be disclosed, to maintain the confidentiality of minor—initiated HIV prevention and/or PrEP services.

HHHRC's mission is to *reduce harm, promote health, create wellness and fight stigma in Hawaii and the Pacific*. We focus our efforts on those disproportionately affected by social determinants of health, including but not limited to: people living with and/or affected by HIV, hepatitis, substance use, and the transgender, LGBTQ and the Native Hawaiian communities.

HHHRC is one of the largest PrEP medical providers in the state and has had to turn away 17 year olds and other minors who wanted to learn about these effective prevention strategies. During COVID, there were HIV outbreaks on the continent and passing HB 1675 is one step to ensuring that Hawaii doesn't have unnecessary HIV infections that could have been prevented.

Thank you for the opportunity to testify.

Heather Lusk, Executive Director, Hawaii Health and Harm Reduction Center



**Written Testimony Presented Before the
House Committee on Consumer Protection & Commerce
Friday, February 11, 2022 at 2:00 P.M.
Via Videoconference**

**by
Laura Reichhardt, APRN, AGPCNP-BC
Director, Hawai'i State Center for Nursing
University of Hawai'i at Mānoa**

Comments on HB 1675, HD1

Chair Johanson, Vice Chair Kitagawa, and members of the House Committee on Consumer Protection & Commerce, thank you for the opportunity to provide comments on **HB 1675, HD1**.

In Hawai'i, health care professionals are in high demand yet in low supply, particularly on the neighbor islands and in rural and underserved areas of our state. Improving access to care by qualified healthcare professionals is critical to ensuring the people of Hawai'i receive quality healthcare when they are in need that is provided by their preferred healthcare provider.

In 2017, through Act 88, the Legislature enabled APRNs to provide the care that is proposed for amendment here to include Physician Assistants. APRNs have since been able to provide this important care to minors with consideration of the minor's valid consent.

The Center defers to the profession of Physician Assistants related to their education and training. The Center further recognizes and commends the Legislature for identifying changes, including using healthcare provider neutral language, and amending the definitions section to clearly define who is included in the "healthcare provider" term. These amendments will expand access to care for people seeking care pursuant to these statutes while maintaining the utmost safety and quality of those authorized by law to provide this care.

We commend the State Legislature for identifying solutions to address access to healthcare in Hawai'i. Thank you for providing the opportunity to comment on this measure.

The mission of the Hawai'i State Center for Nursing is that through collaborative partnerships, the Center provides accurate nursing workforce data for planning, disseminates nursing knowledge to support excellence in practice and leadership development; promotes a diverse workforce; and advocates for sound health policy to serve the changing health care needs of the people of Hawai'i.



TO: COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Representative Aaron Ling Johanson, Chair
Representative Lisa Kitagawa, Vice Chair

Hearing Date/Time: February 11, 2022, 2:00 p.m.
Place: Via Videoconference

Re: HB 1675 HD1, Relating to Medical Care for Minors

Dear Chair Johanson, Vice Chair Kitagawa, and Committee Members,

Thank you for this opportunity to provide testimony on HB 1675 HD1, which permits minors to consent to medical care related to the diagnosis or treatment of HIV or the prevention of HIV and authorizes physician assistants, in addition to physicians and advanced practice registered nurses, to render such treatment to minors.

Hawai`i Academy of Physician Assistants (HAPA) SUPPORTS HB1675 HD1

HB 1675 HD1 allows minors to consent to HIV treatment and prevention services and is a significant step in our statewide **Hawai`i 2 Zero (H20) cure initiative, which aims to reduce HIV/AIDS cases down to zero — zero new infections, zero new deaths and zero stigma caused by HIV. Adolescents and young adults (aged 13-29) accounted for 21% of new HIV diagnoses** in 2019¹ and are the least likely of any age group to be tested, in treatment, or have a suppressed viral load. Addressing HIV infection and spread among adolescents and young adults requires that they have access medical care to get the information and tools they need to make healthy decisions, reduce their risk factors, and get treatment. However, it is well established that minors may avoid seeking care for sexually transmitted infections if they must involve their parents or guardian.² HAPA supports HB 1675 HD1 because it allows minors age fourteen to seventeen to obtain such services without parent or guardian involvement and promotes access to care for this significantly vulnerable population.

HB 1675 HD1 also includes physician assistants as healthcare providers who may treat minors, which further reduces barriers to timely, quality care for our state's youth.

Thank you for the opportunity to testify on this important measure.

Hawai`i Academy of Physician Assistants

¹ Centers for Disease Control and Prevention (2018) 'Diagnoses of HIV Infection in the United States and Dependent Areas, 2019'.
² Guttmacher Institute (2000) 'Minors and the Right to Consent to Health Care'.

Testimony of
Jonathan Ching
Government Relations Director

Before:
House Committee on Consumer Protection & Commerce
The Honorable Aaron Ling Johanson, Chair
The Honorable Lisa Kitagawa, Vice Chair

February 11, 2022
2:00 p.m.
Via Videoconference

Re: HB 1675 HD1, Relating to the Medical Care for Minors

Chair Johanson, Vice Chair Kitagawa, and committee members, thank you for this opportunity to provide testimony on HB 1675 HD1, which permits minors to consent to medical care related to the diagnosis or treatment of HIV or the prevention of HIV and authorizes physician assistants, in addition to physicians and advanced practice registered nurses, to render such treatment to minors.

Kaiser Permanente Hawai'i SUPPORTS HB 1675 HD1.

Kaiser Permanente Hawai'i is Hawai'i's largest integrated health system that provides care and coverage for approximately 265,000 members. Each day, more than 4,400 dedicated employees and more than 650 Hawai'i Permanente Medical Group physicians and providers come to work at Kaiser Permanente Hawai'i to care for our members at our 20 medical facilities, including Moanalua Medical Center, providing high-quality care for our members and delivering on our commitment to improve the health of the 1.4 million people living in the communities we serve.

HB 1675 HD1 allows minors to consent to HIV treatment and prevention services and is a significant step in our statewide Hawai'i 2 Zero (H20) cure initiative, which aims to reduce HIV/AIDS cases down to zero — zero new infections, zero new deaths and zero stigma caused by HIV. Adolescents and young adults (aged 13-29) accounted for 21% of new HIV diagnoses in 2019¹ and are the least likely of any age group to be in treatment or have a suppressed viral load. Addressing HIV infection and spread among adolescents and young adults requires that they have access medical care to get the information and tools they need to make healthy decisions, reduce their risk factors, and get treatment. However, it is well established that minors may avoid seeking care for sexually transmitted diseases if they must involve their parents or guardian.² We support HB 1675 HD1 because it allows minors age fourteen to seventeen to obtain such services without parent or guardian involvement. HB 1675 HD1 also adds Physician Assistants to the healthcare

¹ Centers for Disease Control and Prevention (2018) 'Diagnoses of HIV Infection in the United States and Dependent Areas, 2019'.

² Guttmacher Institute (2000) 'Minors and the Right to Consent to Health Care'.



Government Relations

providers who may treat minors, which further reduces barriers to timely, quality care for our state's youth.

Mahalo for the opportunity to testify on this important measure.



Alliance Advocates - Hawai'i

To: Hawai'i State House Consumer Protection and Commerce Committee
Hearing Date/Time: Friday, February 11th, 2022 at 2:00 pm
Place: Hawai'i State Capitol, Via Videoconference, Conference Room 329
Re: Testimony of Planned Parenthood Alliance Advocates – Hawai'i offering comments on HB 1675

Dear Chair Johanson and Members of the Committees,

Planned Parenthood Alliance Advocates – Hawai'i ("PPAA") writes to provide comments on HB 1675, a bill that would allow young people to consent to medical care and services related to the diagnosis, treatment, or prevention of HIV and expand the pool of providers available to provide these services. Current Hawai'i statute allows minors to consent to treatment of HIV and other sexually-related diseases but does not allow them to have access to medications like PrEP to prevent infection. We strongly support the intent of the bill, but we have concerns about the payment structure and request the legislature find creative solutions to ensure young people get the care they need.

All young people, no matter their circumstances, deserve access to the full range of sexual and reproductive health care, including PrEP. As a medical provider, Planned Parenthood provides a safe place for young people to come for health care and medically-accurate sexuality education, often at low or no costs. We are supportive of this bill's effort to expand access to much-needed services and to provide care to young people, who often face numerous barriers when accessing health care.

As a safety net provider who provides care regardless of a patient's ability to pay, we have concerns about the bill's current ambiguity of who is responsible for payment of services. Planned Parenthood is supportive of reducing the financial burden on young people and appreciates that the bill does not leave minors on the hook for care they may be unable to afford. However, potentially placing the financial liability on health care providers, including safety net family planning providers, would be an unsustainable financial burden and ultimately put at risk our ability to provide this care. Sexual and reproductive health care providers, who provide the bulk of HIV prevention services to people with low incomes, continue to struggle with financial strain of the pandemic and the loss of Title X funding. Additionally, we echo concerns that having these medications be billed to insurance and show up on parents' insurance may compromise individuals who have not disclosed to their parents their sexual practices. We encourage the legislature to come up with creative solutions to ensure that young people can access no-cost preventive care without placing the financial burden on providers.

Thank you for this opportunity to comment on this important legislation.

Sincerely,

Lisa Humes-Schulz
Vice President of Policy & Regulatory Affairs
Planned Parenthood Alliance Advocates – Hawai'i

HB-1675-HD-1

Submitted on: 2/9/2022 5:54:35 PM

Testimony for CPC on 2/11/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Gerard Silva	Individual	Oppose	No

Comments:

Only the parents Have Athority over there Children not the State or The COUNTY. What you are telling Us is that you are Comunist and do not want our opinion. That will not work and you can Expect a War!!!

HB-1675-HD-1

Submitted on: 2/9/2022 7:27:16 PM

Testimony for CPC on 2/11/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Thaddeus Pham	Individual	Support	No

Comments:

Aloha Chair Johanson, Vice Chair Kitagawa, and Members of the CPC Committee:

As a public health professional and concerned member of the LGBTQIA+ community, I strongly support HB 1675 which would allow minors to consent to life saving HIV prevention medications. While 14-17 year olds in Hawaii can currently consent to most sexual health services, Pre Exposure Prophylaxis (PrEP) for HIV is not currently covered. As such, this bill will save lives and prevent HIV among our local keiki.

According to the CDC, PrEP is the most effective HIV prevention intervention we have, and young people deserve access to this medication to prevent a life-long infection with HIV.

Please also ensure that payment for PrEP is addressed so that minors do not have it listed on their parent's insurance which they may not want to be disclosed.

Thank you for investing in the health and safety of our young people!

With gratitude,

Thaddeus Pham (he/him)

HB-1675-HD-1

Submitted on: 2/10/2022 8:33:47 AM

Testimony for CPC on 2/11/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Carolyn A	Individual	Support	No

Comments:

- PrEP is a safe, FDA-approved daily medication proven to prevent HIV and recommended as first line of HIV prevention by the CDC
- PrEP is not covered under the current minor consent statute that allows 14-17 year old to consent to most sexually-related medical care so this law is needed to allow access
- If a minor gets PrEP, it should not be indicated on parent’s insurance unless the minor gives consent so payment issues need to be addressed
- PrEP is part of a comprehensive medical visit that includes screening for sexually transmitted infections and laboratory monitoring and is done by a licensed healthcare provider who adheres to evidence-based practices so this measure also will hopefully have more minors getting comprehensive sexual health services (according to Hawaii YRBS, Hawaii youth have one of the lowest condom usage in the US)

SB 2241 would allow minors 14-17 to consent on their own so they can get access to this important prevention strategy. **Please take a moment before Monday at 9am to testify in support of this important measure**

HB-1675-HD-1

Submitted on: 2/10/2022 8:59:41 AM

Testimony for CPC on 2/11/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Anika Martin	Individual	Support	No

Comments:

Dear Chair Johanson Vice Chair Kitagawa, and members of the committee:

I am in strong support for HB1657 which would allow minors to consent to life saving HIV prevention medications. According to the CDC, there were about 36,400 new HIV infections in the United States. Of those, 7, 600 or 21% of those cases were among youth aged 13-24 years old.

PrEP is the most effective HIV prevention intervention we have, unfortunately, a 2018 study conducted by Siegler et al (2017) found that young people are less likely to use medicine to prevent HIV due to cost, access, perceived stigma, and privacy concerns. Therefore, the passing of this bill would dramatically assist in ensuring the health of our youth in the community.

In addition, please also ensure that payment for PrEP is addressed so minors do not have it listed on their parent's insurance because they may not disclose it.

Thank you for investing in the health and safety of our young people!

Sincerely,

Anika

HB-1675-HD-1

Submitted on: 2/10/2022 8:39:08 AM

Testimony for CPC on 2/11/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Erin Furuichi	Individual	Support	No

Comments:

Dear Chair Johanson, Vice Chair Kitagawa and members of the committee:

I strongly support HB 1675 which would allow minors to consent to life saving HIV prevention medications. While 14-17 year olds in Hawaii can currently consent to most sexual health services, PrEP is not currently covered and this bill will save lives.

According to the CDC, PrEP is the most effective HIV prevention intervention we have and young people deserve access to this medication to prevent a life-long infection with HIV.

Please also ensure that payment for PrEP is addressed so that minors do not have it listed on their parent's insurance which they may not want to be disclosed.

Thank you for investing in the health and safety of our young people!

Sincerely,
Erin Furuichi

HB-1675-HD-1

Submitted on: 2/10/2022 11:11:07 AM

Testimony for CPC on 2/11/2022 2:00:00 PM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Maddalynn Seseapasara	Individual	Support	No

Comments:

Dear Chair Johanson, Vice Chair Kitagawa and members of the committee:

I strongly support HB 1675 which would allow minors to consent to life saving HIV prevention medications. While 14-17 year olds in Hawaii can currently consent to most sexual health services, PrEP is not currently covered and this bill will save lives.

According to the CDC, PrEP is the most effective HIV prevention intervention we have and young people deserve access to this medication to prevent a life-long infection with HIV.

Please also ensure that payment for PrEP is addressed so that minors do not have it listed on their parent's insurance which they may not want to be disclosed.

Thank you for investing in the health and safety of our young people!

Sincerely,

Maddalynn Seseapasara