



STATE OF HAWAII
DEPARTMENT OF HEALTH
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Testimony COMMENTING on HCR59
REQUESTING THE DEPARTMENT OF HEALTH TO ISSUE CERTIFICATES OF
STILLBIRTH.

REP. RYAN I. YAMANE, CHAIR
HOUSE COMMITTEE ON HEALTH

Hearing Date: March 29, 2022

Room Number: 329 & Video

- 1 **Fiscal Implications:** Unspecified general fund appropriations.
- 2 **Department Testimony:** The Department of Health (DOH) does not object to issuing
3 certificates of stillbirth. However, amendment to Hawaii Revised Statute is required for the
4 following reasons:
- 5 1. To define a stillbirth certificate to have no standing as a legal document for purposes of
6 establishing identity or personhood,
 - 7 2. To define a stillbirth certificate as being a commemorative document only,
 - 8 3. To authorize DOH to collect a fee for the issuance of stillbirth certificates, and
 - 9 4. To make a modest appropriation of around \$10,000 to upgrade the online vital records
10 request system
- 11 Thank you for the opportunity to testify.



Submitted online: March 27, 2022

TO: Committee on Health, Human Services & Homelessness
Rep. Ryan Yamane, Chair
Rep. Adrian Tam, Vice-Chair

FROM: Eva Andrade, President & CEO, Hawaii Family Forum

RE: Strong Support for HCR59/HR53 Requesting the Department of Health to Issue
Certificates of Stillbirth

Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii. We support this resolution that will allow a parent, or parents to request a certificate of stillbirth upon request.

Stillbirth is an event that brings deep pain to parents who were expecting a much different outcome. Weeks, and sometimes months, of planning for the birth of child turns into a time of mourning. The simple act of providing an opportunity for these parents to request this certificate, will go a long way towards healing.

In addition, allowing for stillbirth that happened regardless of the date on which the fetal death certificate was issued, will allow the opportunity for more parents to make a request. Many families in this community have experienced a stillbirth, so this bill will be appreciated by them.

As people of faith, we strongly believe that life begins at the moment of conception. Therefore, when a mother nurtures that life within her womb, a bond forms that can never be broken. Even when that life passes, there is a deep desire to enshrine that relationship in a way that will bring healing and peace. In our opinion, this brings honor to both the parents and the child.

We truly appreciate this resolution for the sake of the mothers who request them.

Mahalo for the opportunity to provide testimony in strong support.



Alliance Advocates - Hawai'i

To: Hawai'i State House Committee on Health, Human Services, and Homelessness
Hearing Date/Time: Tuesday, March 29, 2022 at 10:00 am
Place: Hawai'i State Capitol, Via Videoconference
Re: Testimony of Planned Parenthood Alliance Advocates requesting an amendment to HCR 59

Dear Chair Yamane and Members of the Committees,

Planned Parenthood Alliance Advocates – Hawai'i ("PPAA") writes to request an amendment to HCR 59, a resolution that allows for families to process grief through a symbolic, optional certificate of stillbirth, to ensure the bill does not inadvertently undermine reproductive freedom.

At Planned Parenthood, we strive to destigmatize pregnancy loss and to compassionately validate all families' reproductive health experiences and decisions. A critical part of reproductive justice is supporting the full range of pregnancy outcomes. HCR 59 is intended to provide comfort to and closure for families who have experienced the trauma of a stillbirth. Allowing their grief to be symbolically acknowledged through a certificate of stillbirth supports families in their grieving process and helps destigmatize pregnancy loss.

While we respect the intent of HCR 59, we request that the resolution be amended to ensure it and any subsequent legislation promotes the reproductive freedom of all people in Hawai'i and does not have unintended consequences that undermines the right to abortion care. Additional safeguards are necessary to ensure nothing in this resolution infringes on a person's right to reproductive freedom. In addition to the amendment below, we request that certificates of stillbirth be optional, commemorative, and not used to calculate any vital record statistics, as this could have the unintended consequence of creating so-called "personhood" for a nonviable fetus.

We recommend adding the following language to the resolution to safeguard reproductive health care:

BE IT FURTHER RESOLVED that nothing in this resolution or any resulting legislation shall alter a pregnant person's right to reproductive freedom, or equal protection under the law, or alter or supersede any other provision of law. Stillbirth certificates may not be the basis for a civil cause of action seeking damages or criminal charges against any person or entity for bodily injury, personal injury, or wrongful death for a stillborn, and except for the right to request a certification of birth resulting in stillbirth, nothing in this resolution or any resulting legislation may constitute the basis of any new right, privilege, or entitlement, or abrogate any existing right, privilege, or entitlement.

Thank you for this opportunity to comment on this legislation.

Sincerely,

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

HCR-59

Submitted on: 3/28/2022 8:49:18 AM

Testimony for HHH on 3/29/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Testify
Ilima DeCosta	Individual	Support	Written Testimony Only

Comments:

As a woman who has also lost an unborn child to stillbirth, I support any measures that would help parents to legally bury their deceased keiki (without an official death certificate, there can be no "official" burial) and process their grief. Mahalo for passing this resolution.