

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA



CATHY BETTS
DIRECTOR
KA LUNA HO'OKELE

JOSEPH CAMPOS II
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII
KA MOKU'ĀINA O HAWAI'I
DEPARTMENT OF HUMAN SERVICES
KA 'OIHANA MĀLAMA LAWELAWE KANAKA
Office of the Director
P. O. Box 339
Honolulu, Hawaii 96809-0339

January 30, 2023

TO: The Honorable Senator Joy A. San Buenaventura, Chair
Senate Committee on Health & Human Services

The Honorable Senator Jarrett Keohokalole, Chair
Senate Committee on Commerce & Consumer Protection

FROM: Cathy Betts, Director

SUBJECT: **SB 1 – RELATING TO HEALTH CARE.**

Hearing: February 1, 2023, 1:10 p.m.
Conference Room 225 & Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this measure, provides comments, and defers to the Department of the Attorney General.

PURPOSE: This bill authorizes licensed physician assistants to perform certain abortions. Declares a law of another state that authorizes a person to bring a civil action against a person who: terminates or seeks to terminate a pregnancy; performs or induces the termination of a pregnancy; knowingly engages in conduct that aids or abets the performance or inducement of the termination of a pregnancy; or attempts or intends to engage in the conduct, as contrary to the public policy of this State and shall not be enforceable in any court of the State and shall not afford any basis for the granting of legal or equitable relief by any court of the State. Prohibits the State from engaging in certain actions with regard to civil and criminal actions from another state.

DHS appreciates the Legislature's efforts to support greater access to all reproductive health services, including abortions, and authorizing physician assistants and advanced practice registered nurses helps increase such access. We support an individual's right to make health care decisions, including all reproductive health care, in a supportive and stress-free environment.

However, the current developments in the legal landscape threaten individuals' right to privacy at a time when health care decisions should be made in a stress-free environment. Aggressive legal actions also threaten healthcare providers and our staff who assist in accessing or providing services. This bill helps clarify and provides some protections from the threat of litigation or harassment for the provision of health care services that are legal in our State.

Thank you for the opportunity to provide comments on this measure.

SB-1

Submitted on: 1/30/2023 3:16:34 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Robin Wurtzel	Testifying for Hawai'i Civil Rights Commission	Support	Remotely Via Zoom

Comments:

Testimony was submitted separately for the agency. I will appear to testify. Thank you.



HAWAI‘I CIVIL RIGHTS COMMISSION

KOMIKINA PONO KIWILO O HAWAI‘I

830 PUNCHBOWL STREET, ROOM 411, HONOLULU, HI 96813 · PHONE: (808) 586-8636 · FAX: (808) 586-8655 · TDD: (808) 586-8692

Wednesday, February 1, 2023
Conference Room 225 & Videoconference

To: The Honorable Joy A. San Buenaventura, Chair
The Honorable Henry J.C. Aquino, Vice Chair
Members of the Senate Committee on Health and Human Services

The Honorable Jarrett Keohokalole, Chair
The Honorable Carol Fukunaga, Vice Chair
Members of the Senate Committee on Commerce and Consumer Affairs

From: Liann Ebesugawa, Chair
and Commissioners of the Hawai‘i Civil Rights Commission

Re: S.B. No. 1

The Hawai‘i Civil Rights Commission (HCRC) has enforcement jurisdiction over Hawai‘i’s laws prohibiting discrimination in employment, housing, public accommodations, and access to state and state funded services (on the basis of disability). The HCRC carries out the Hawai‘i constitutional mandate that no person shall be discriminated against in the exercise of their civil rights. Art. I, Sec. 5.

S.B. No. 1, has three purposes: 1) to amend HRS § 453-16 to allow licensed physician assistants and licensed advanced practice registered nurses to perform abortions; 2) to declare that laws of other states are contrary to State public policy and unenforceable in Hawai‘i state courts, where those laws authorize a civil action against persons who terminate or seek to terminate a pregnancy, perform or induce the termination of a pregnancy, knowingly aid or abet the termination of a pregnancy, or attempt or intend to do so; and, 3) to prohibit State application, enforcement, or satisfaction of subpoenas, decisions, or requests of other states that arise out of such other state laws creating civil or criminal liability relating to termination of a pregnancy.

HCRC supports S.B. No. 1, specifically the amendments to HRS § 453-16 that declare laws of other states that create civil actions against persons for terminating a pregnancy, performing or inducing or aiding and abetting the termination of a pregnancy are contrary to State public policy, and also prohibit recognition and enforcement of other states’ laws that impose civil or criminal liability relating to termination of a pregnancy. The HCRC does not take a position on the proposed amendment to § 453-16 that expands the list of medical professionals authorized to perform abortions.

HCRC support for this bill is rooted in the context of a frontal assault on constitutional and civil rights at the federal level and in many states. A U.S. Supreme Court conservative super-majority appears poised to eviscerate constitutional rights jurisprudence that we have taken for granted for a generation. In a parade of horrors, the Court has turned the clock back on abortion and reproductive rights and establishment of religion, while limiting state regulation of guns and open carry laws with expansive reading of 2nd amendment rights, giving notice that other hard-won rights are in its crosshairs. Constitutional protections that are in jeopardy include unenumerated privacy protections (right to contraception, striking down state law criminalization of same-sex relationships, and marriage equality). In this context, it is prudent for Hawai'i to renew its state commitment to hard-won rights that we have exercised for generations. Reviewing and shoring up our state statutory protections as a "backstop" against the onslaught on fundamental rights that has been unleashed is a necessary first step.

For nearly fifty years, the U.S. Supreme Court's decision in *Roe v. Wade* established a fundamental right for an individual to access abortion based on a constitutional right to privacy. However, in 2022, the Supreme Court overturned *Roe* in *Dobbs v. Jackson Woman's Health Organization*, paving the way for individual states to restrict and even eliminate individuals' right to these medical decisions for themselves and/or based on the advice of individuals' medical advisors.

An increasing number of states have enacted or proposed restrictions on an individual's right to reproductive freedoms through civil and criminal penalties imposed on individuals who knowingly aid or abet the performance or inducement of the termination of a pregnancy. The HCRC supports S.B. No. 1's declaration that these laws are contrary to the public policy of the State, shall not be enforceable in any state court, and shall not be the basis for the granting of legal or equitable relief in any state court.

Historically, the State of Hawai'i has had a strong commitment to the protection of civil rights, found in Art. I § 5 of the State Constitution which states that "[n]o person . . . shall be denied the enjoyment of the person's civil rights or be discriminated against in the exercise thereof because of race, religion, sex, or ancestry." This provision grants our citizens the fundamental right to be free from race, religion, sex or ancestry discrimination, and was first adopted by the Constitutional Convention of 1950 (ratified as Article I, §4), prior to Hawai'i becoming a state. Const. Conv. of 1950, v. 1. There is no counterpart civil rights clause in the United States Constitution.

Hawai'i has a proud civil rights history. We were the first state to ratify the Equal Rights Amendment, and we have an ERA in our State Constitution Bill of Rights. Article I, §3. And, we have an express right to privacy in our State Constitution as well. Article I, §6. We were the first state to recognize women's right to choose and, to our credit, the first to address the issue of same-sex marriage seriously. Each generation has a responsibility to protect and defend these state constitutional and civil rights.

An individual's right to make reproductive health decisions is a civil right. In 2019 the Legislature recognized this right and codified its protection, amending HRS § 378-2 to expressly add reproductive health decisions as a protected basis upon which employment discrimination is prohibited. HRS § 378-2(a)(1), 378-2(a)(9) [am L 2019, c 178 §2] ("Reproductive health decisions" include the use or attempted use of any legal drug, device, or medical service intended to prevent or terminate a pregnancy, or the use or attempted use of any assisted reproductive technology. HRS § 378-1). Reproductive health decisions are deeply personal choices, and individuals in our state should not fear State complicity in criminal prosecution or civil liability under the state laws of other jurisdictions for exercising this right.

The HCRC supports S.B. No. 1.

Testimony of the Hawaii Medical Board

**Before the
Senate Committee on Health and Human Services
and
Senate Committee on Commerce and Consumer Protection
Wednesday, February 1, 2023
1:10 p.m.
Conference Room 225 and Via Videoconference**

On the following measure: S.B. 1, RELATING TO HEALTH CARE

Chair San Buenaventura, Chair Keohokalole, and Members of the Committee:

My name is Ahlani Quiogue, and I am the Executive Officer of the Hawaii Medical Board (Board). The Board appreciates the intent and offers comments on this bill.

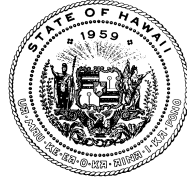
The purposes of this bill are to: (1) authorize licensed physician assistants (PAs) to perform certain abortions; (2) declares a law of another state that authorizes a person to bring a civil action against a person who: terminates or seeks to terminate a pregnancy; performs or induces the termination of a pregnancy; knowingly engages in conduct that aids or abets the performance or inducement of the termination of a pregnancy; or attempts or intends to engage in the conduct, as contrary to the public policy of this State; shall not be enforceable in any court of the State and shall not afford any basis for the granting if legal or equitable relief by any court of the State; and (3) prohibit the State from engaging in certain actions with regard to civil and criminal actions from another state..

The Board appreciates the bill's intent to authorize PAs to perform certain abortions to provide greater access to health care for all Hawaii residents, especially those who reside in rural areas or on the neighbor islands. However, the Board must ensure that PAs continue adhering to best practices and, therefore, requests that the Committees consider the following:

- (1) Clearly identify the type(s) of abortion PAs may perform. In 2021, H.B. 576, H.D. 1, clearly identified that PAs may perform aspiration abortions;

- (2) Ensure that a PA is an authorized agent of the PA's supervising physician or physician group and that the supervising physician or physician group authorizes and/or delegates the performance of abortions to the PA;
- (3) Perform abortions only in a hospital licensed by the Department of Health or the federal government, to ensure that appropriate teams are in place to assist if necessary;
- (4) On page 1, delete lines 14 to 16, beginning with "or licensed advanced practice registered nurse in compliance with section 457-8.7." The Board does not regulate APRNs; placing statutes regulating APRNs in Hawaii Revised Statutes chapter 453 (Medicine) would not be appropriate;
- (5) On page 2, line 5 and line 8, the Board recommends replacing the term "females" and "female" respectively with the term "person"; and
- (6) With regard to the newly added language beginning on page 2, lines 15 to 21 through page 4, lines 1 to 2, the Board prefers similar language included in S.B. 896, Relating to Reproductive Health Care.

Thank you for the opportunity to testify on this bill.



STATE OF HAWAII
DEPARTMENT OF HEALTH
KA 'OIHANA OLAKINO
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

WRITTEN
TESTIMONY
ONLY

**Testimony COMMENTING on SB1
RELATING TO HEALTH CARE**

SENATOR JOY SAN BUENAVENTURA, CHAIR
SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

SENATOR JARRETT KEOHOKALO, CHAIR
SENATE COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Hearing Date: February 1, 2023

Room Number: 225

- 1 **Fiscal Implications:** N/A.
- 2 **Department Testimony:** The Department of Health (DOH) strongly supports access to and
- 3 protections for safe reproductive health care services for women.
- 4 DOH defers to the relevant professional boards regarding scope of practice and patient safety.
- 5 Thank you for the opportunity to testify.
- 6 **Offered Amendments:** N/A.
- 7



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTY-SECOND LEGISLATURE, 2023**

ON THE FOLLOWING MEASURE:
S.B. NO. 1, RELATING TO HEALTH CARE.

BEFORE THE:
SENATE COMMITTEES ON HEALTH AND HUMAN SERVICES AND ON
COMMERCE AND CONSUMER PROTECTION

DATE: Wednesday, February 1, 2023 **TIME:** 1:10 p.m.

LOCATION: State Capitol, Room 225

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Christopher J.I. Leong, Deputy Attorney General

Chairs San Buenaventura and Keohokalole and Members of the Committees:

The Department of the Attorney General provides the following comments.

The purposes of this bill are to: (1) authorize licensed physician assistants and certain licensed advanced practice registered nurses to perform abortions; (2) declare that laws of another state relating to certain acts involving the termination of a pregnancy are contrary to the public policy of this State, shall not be enforceable in any court of this State, and shall not afford any basis for the granting of relief by any court of this State; and (3) prohibit the State from engaging in certain actions with regard to civil and criminal actions originating from another state.

The new subsection (f) added to section 453-16, Hawaii Revised Statutes (HRS), by this bill may be broader than intended. As written, it may include legitimate medical malpractice actions and other claims that a person may want to enforce in Hawaii that would not otherwise be contrary to the public policy of this State but for the enactment of subsection (f). To avoid this potential effect, we recommend amending subsection (f) on page 2, line 15, through page 3, line 6, to read as follows:

- (f) A law of another state that authorizes a person to bring a civil action against a person who:
- (1) Terminates or seeks to terminate a pregnancy;
 - (2) Performs or induces the termination of a pregnancy;

- (3) Knowingly engages in conduct that aids or abets the performance or inducement of the termination of a pregnancy; or
- (4) Attempts or intends to engage in the conduct described in paragraphs (1) through (3),

is declared to be contrary to the public policy of this State, shall not be enforceable in any court of the State, and shall not afford any basis for the granting of legal or equitable relief by any court of the State[-]; provided that this subsection shall not apply to the law of another state that is based on conduct for which a cause of action exists under the laws of this State if the course of conduct that forms the basis for liability had occurred entirely in this State.

The prohibition on enforcement of satisfaction of civil judgments from other states in the newly added subsection (g)(2) of section 453-16, HRS, may be subject to challenge under the Full Faith and Credit Clause of the United States Constitution (article IV, section 1). Generally, "[a] final judgment in one State, if rendered by a court with adjudicatory authority over the subject matter and persons governed by the judgment, qualifies for recognition throughout the land," and "[a] State may not disregard the judgment of a sister State because it disagrees with the reasoning underlying the judgment or deems it to be wrong on the merits." *V.L. v. E.L.*, 577 U.S. 404, 407 (2016). However, "the Full Faith and Credit Clause does not require that sister States enforce a foreign penal judgment[.]" *Nelson v. George*, 399 U.S. 224, 229 (1970); *accord Broderick v. Rosner*, 294 U.S. 629, 642 (1935) ("One State need not enforce the penal laws of another."). Generally speaking, a penal law is one that is designed "to punish an offense against the public justice of the state[.]" *Huntington v. Attrill*, 146 U.S. 657, 675-74 (1892). To mitigate the risk of constitutional challenge, we recommend amending page 3, lines 10 through 12, to read as follows: "(2) Enforce or satisfy a civil judgment that is penal in nature and received through an adjudication under a law described in subsection (f);".

To avoid conflict between the newly added subsection (g)(4) of section 453-16, HRS, and existing laws requiring the issuance of an out-of-state subpoena by the courts of this State, we recommend amending page 3, line 19, through page 4, line 2, to read as follows: "(4) Notwithstanding any other law to the contrary, [H]issue or enforce a subpoena for information or testimony issued by another state or government relating to a civil action described in subsection (f)."

Thank you for the opportunity to provide comments.

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
Felicia Cowden
Bill DeCosta
Luke A. Evslin



OFFICE OF THE COUNTY CLERK

Jade K. Fountain-Tanigawa, County Clerk
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188
Facsimile: (808) 241-6349
Email: cokcouncil@kauai.gov

Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

January 30, 2023

**TESTIMONY OF ADDISON BULOSAN
COUNCILMEMBER, KAUAI COUNTY COUNCIL
ON**

SB 1, RELATING TO HEALTH CARE
Senate Committee on Health and Human Services
Senate Committee on Commerce and Consumer Protection
Wednesday, February 1, 2023
1:10 p.m.
Conference Room 225
Via Videoconference

Dear Chair San Buenaventura, Chair Keohokalole, and Members of the Committee:

Thank you for this opportunity to provide testimony in strong SUPPORT of SB 1, Relating to Health Care. My testimony is submitted in my individual capacity as a Councilmember of the Kaua'i County Council.

I wholeheartedly support the intent of SB 1 as it will ensure women the fundamental right to make their own reproductive health care decisions. This measure authorizes licensed physician assistants to perform certain abortions; declares a law of another state that authorizes a person to bring a civil action against a person who: terminates or seeks to terminate a pregnancy; performs or induces the termination of a pregnancy; knowingly engages in conduct that aids or abets the performance or inducement of the termination of a pregnancy; or attempts or intends to engage in the conduct, as contrary to the public policy of this State and shall not be enforceable in any court of the State and shall not afford any basis for the granting of legal or equitable relief by any court of the State; and prohibits the State from engaging in certain actions regarding civil and criminal actions from another state.

Thank you again for this opportunity to provide testimony in strong support of SB 1. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

ADDISON BULOSAN
Councilmember, Kaua'i County Council

AAO:mn

COUNTY COUNCIL

Mel Rapozo, Chair
KipuKai Kualii, Vice Chair
Addison Bulosan
Bernard P. Carvalho, Jr.
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Council Services Division
4396 Rice Street, Suite 209
Lihu'e, Kaua'i, Hawai'i 96766

January 31, 2023

TESTIMONY OF KIPUKAI KUALII
COUNCIL VICE CHAIR, KAUAI COUNTY COUNCIL
ON
SB 1, RELATING TO HEALTH CARE
Senate Committee on Health and Human Services
Senate Committee on Commerce and Consumer Protection
Wednesday, February 1, 2023
1:10 p.m.
Conference Room 225
Via Videoconference

Dear Chair San Buenaventura, Chair Keohokalole, and Members of the Committee:

Thank you for this opportunity to provide testimony in strong SUPPORT of SB 1, Relating to Health Care. My testimony is submitted in my individual capacity as Council Vice Chair of the Kaua'i County Council.

SB 1 authorizes licensed physician assistants to perform certain abortions; declares a law of another state that authorizes a person to bring a civil action against a person who: terminates or seeks to terminate a pregnancy; performs or induces the termination of a pregnancy; knowingly engages in conduct that aids or abets the performance or inducement of the termination of a pregnancy; or attempts or intends to engage in the conduct, as contrary to the public policy of this State and shall not be enforceable in any court of the State and shall not afford any basis for the granting if legal or equitable relief by any court of the State; and prohibits the State from engaging in certain actions regarding civil and criminal actions from another state.

I wholeheartedly support the intent of this measure as it will ensure women the right to make their own reproductive health care decisions.

Thank you again for this opportunity to provide testimony in strong support of SB 1. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to cokcouncil@kauai.gov.

Sincerely,

KIPUKAI KUALII
Council Vice Chair, Kaua'i County Council

AAO:mn



February 1, 2023

The Honorable Joy A. San Buenaventura, Chair
The Honorable Henry J.C. Aquino, Vice Chair
Senate Committee on Health and Human Services

The Honorable Jarrett Keohokalole, Chair
The Honorable Carol Fukunaga, Vice Chair
Senate Committee on Commerce and Consumer Protection

Re: SB 1 – Relating to Health Care

Dear Chair San Buenaventura, Chair Keohokalole, Vice Chair Aquino, Vice Chair Fukunaga,
and Members of the Committees:

Hawaii Medical Service Association (HMSA) appreciates the opportunity to provide testimony in support of SB 1, which authorizes licensed physician assistants to perform certain abortions, declares a law of another state that bring civil action against a person as stated in this bill as contrary to the public policy of the State of Hawaii and shall not be enforceable in any court of the State, and prohibits the State from engaging in certain actions with regard to civil and criminal actions from another state.

HMSA supports this bill and believes in improving access to quality health care services and the importance of allowing Hawaii's physician assistants and other health care practitioners to confidently practice within the scope of their license. We support the right to reproductive choice as codified in current state statute and appreciate the legislature's intent to protect Hawaii's health care providers from the inconsistency of reproductive rights' laws across the nation. Thank you for the opportunity to provide testimony on SB 1.

Sincerely,

Dawn Kurisu
Assistant Vice President
Community and Government Relations



February 1, 2023 at 1:10 pm
Conference Room 225

Senate Committee on Health and Human Services

To: Chair Joy A. San Buenaventura
Vice Chair Henry J.C. Aquino

Senate Committee on Commerce and Consumer Protection

To: Chair Jarrett Keohokalole
Vice Chair Carol Fukunaga

From: Paige Heckathorn Choy
Associate Vice President, Government Affairs
Healthcare Association of Hawaii

Re: Support for Strengthening Protections for Healthcare Providers
SB 1, Relating to Health Care

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the healthcare continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high-quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing more than 30,000 people statewide.

Thank you for the opportunity to **support** strengthened protections for providers in this measure as it relates to abortion and reproductive services. It is extremely important that providers and patients are able to make private, and often difficult, healthcare decisions without undue fear or pressure from states that seek to punish them for seeking needed, and sometimes life-saving, care. Since the U.S. Supreme Court overturned the constitutional right to an abortion, there has been a chilling effect on the practice of medicine in many states across the country, affecting the ability of millions of people to get needed care and for providers to fulfill their missions of caring for patients.

We also understand that this measure seeks to eliminate the requirement for abortions to be performed in a hospital, clinic, or physician's office and allows physician's assistants to perform this procedure. We support the intent of ensuring access to needed reproductive health services for women and birthing people in the state, but have not taken a position on these proposals at this time.

We appreciate that this legislature is considering measures to provide more certainty for providers and patients alike about the right to access reproductive services in Hawaii. Thank you for the opportunity to comment on this important measure.



TESTIMONY IN STRONG SUPPORT WITH SUGGESTED AMENDMENTS OF SENATE BILL 1

Wednesday, February 1, 2023
Conference Room 225 & Videoconference

To: The Honorable Joy A. San Buenaventura, Chair
The Honorable Henry J.C. Aquino, Vice Chair
Members of the Senate Committee on Health and Human Services

The Honorable Jarrett Keohokalole, Chair
The Honorable Carol Fukunaga, Vice Chair
Members of the Senate Committee on Commerce and Consumer Affairs

From: The Hawai'i Friends of Civil Rights
Co-Chairs Amy Agbayani and Pat McManaman

The Hawai'i Friends of Civil Rights works to achieve equity, justice, inclusion, uphold civil rights, and eliminate discrimination.

We **Strongly Support with Amendments** the provisions of S.B. 1 which expand the categories of persons allowed to perform abortions to include licensed physician assistants and licensed advanced practice registered nurses and request that the shield provisions in S.B. 1 be amended to track S.B. 896's public policy statement found in Section 1, and the subsequent provisions addressing civil and criminal limitations on venue, judgments, and other proceedings.

Hawai'i has been and remains at the forefront of efforts to protect and expand access to reproductive health care. In 1970, three years before the U.S. Supreme Court decision in *Roe v. Wade*, Hawai'i became the first state in the nation to decriminalize and protect a person's right to abortion. Eight years later, the right to privacy was enshrined in the Hawai'i Constitution, and the Constitutional Convention Committee Report found, "[t]his privacy concept encompasses the notion that in certain highly personal and intimate matters, the individual should be afforded freedom of choice absent a compelling state interest."

Despite these advances, Hawai'i residents struggle to find abortion and reproductive health care providers. This is particularly true on Kauai, Lanai, and Molokai. Expanding access to qualified providers will prove helpful if coupled with accessible in-state training programs and expanded state-mandated malpractice coverage. Otherwise, the proposed amendment may prove illusory.

The more detailed provisions of S.B. 896 provide a clearer statement of protections for persons defending actions brought by individuals under Tex. Health and Safety Code Ann §§ 171.207-171.212 (2021) or other similar state statutes. In particular, S.B. 896 clearly articulates Hawai'i's well-established history of supporting the right to abortion and provides a strong defense against attacks based on the Full Faith and Credit provisions found in the United States Constitution.

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

SB-1

Submitted on: 1/26/2023 5:24:22 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Golojuch Jr	Testifying for Stonewall Caucus of the Democratic Party of Hawaii	Support	Remotely Via Zoom

Comments:

Aloha Senators,

The Stonewall Caucus of the Democratic Party of Hawai‘I; Hawai‘i’s oldest and largest policy and political LGBTQIA+ focused organization fully supports Senate Bill 1.

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



Alliance Advocates - Hawai'i

To: Hawai'i State Senate Committee on Commerce and Consumer Protection and
Committee on Health and Human Services
Hearing Date/Time: Wednesday, Feb. 1st, 2023 at 1:10 pm
Re: Testimony of Planned Parenthood Alliance Advocates in support of SB 1

Dear Chairs San Buenaventura and Keohokalole and Members of the Committees,

Planned Parenthood Alliance Advocates – Hawai'i ("PPAA") supports SB 1, a bill that takes critical steps toward protecting abortion providers and allows physician assistants to provide abortion care. We look forward to working with lawmakers on exploring how to combine the many critical bills protecting abortion providers and patients to pass the strongest possible legislation.

Planned Parenthood Supports SB 1, and Encourages Lawmakers to Further Strengthen Hawai'i's Abortion Statutes

SB 1 is a good first step toward bolstering protections for providers and patients with its clarifications of the physician (§453-16) and nursing (§457-8.7) abortion statutes. We appreciate that the bill declares hostile states' prosecutions of abortion providers and patients to be "contrary to the public policy of this State" and support efforts to limit the issuances and enforcement of summons, subpoenas, and investigations related to reproductive health care. We are also strongly supportive of the provisions in SB 896, a bill aimed at implementing these policies, and encourage the committee to ensure the two bills are harmonious in their drafting.

We also request that any legislation shielding abortion providers and patients from extraterritorial enforcement extend protections to gender affirming health care, life-saving care that is also under attack nationwide: just this year we have already seen nearly 80 bills attacking gender affirming care, including legislation here in Hawai'i. It is well-established medical consensus that gender-affirming care and surgical procedures are medically necessary – and even lifesaving – health care services. We, again, must ensure Hawai'i health providers don't become targets just for doing their jobs.

With few remaining federal protections for abortion care, **Hawai'i cannot afford to have statutory gaps in state laws that put access to abortion at risk.** In addition to the existing provisions of the bill, we request that the committee amend this bill to include the statutory protection provisions outlined in SB 890. SB 890 includes language that clarifies that all pregnant people in the state have the right to access abortion care, including transgender and gender nonbinary people; provides definitional consistency across state abortion codes; eliminates archaic provisions that threaten criminal prosecution against providers for providing safe and basic abortion care; and protects access to telehealth abortion service. These clarifications will go a long way in supporting our providers and patients by ensuring our statutes are as strong as possible.

Physician Assistants Can Safely and Effectively Provide Abortion Care

PPAA supports the provision in SB 1 that allows physician assistants to provide abortion care. Abortion, including aspiration abortion, is one of the safest medical procedures in the United States, and the risk of

major complications that require hospitalization is exceptionally rare. Major complications from abortion occur in less than a quarter of one percent of procedures. This is about the same frequency of complications as for colonoscopies and less frequent than complications for wisdom tooth removal and tonsillectomy. Additionally, aspiration abortion can be safely performed in an office or clinic setting; scientific literature concludes that the safety of abortion care provided in an office setting is equivalent to the safety of abortion care provided in a hospital setting. For example, in a systematic literature review of over 11,000 scientific articles on aspiration abortion care, researchers found that medical complications from aspiration abortion were so low that this procedure could safely be provided in an office setting, and that when complications did occur in office settings, they were effectively managed at the clinic.

Numerous studies have found no difference in abortion safety when performed by qualified licensed providers – such as physician assistants – rather than a physician. For example, a multi-year study conducted by the University of California San Francisco’s Bixby Center for Global Reproductive Health evaluated nurse practitioners, certified nurse midwives, and physician assistants providing early in-clinic abortion care. Over the five-year study, almost 8,000 patients received care from a qualified licensed provider, including at health centers and clinics, and the study found comparable rates of safety, effectiveness, and acceptability when compared to care from a physician. Qualified licensed provider care is also welcomed by patients: in a study evaluating patient experience after accessing abortion care, patients demonstrated a high level of satisfaction overall when they received their abortion care from a nurse practitioner, a certified nurse midwife, or a physician assistant.

Medical experts support removing restrictions on qualified licensed providers. Many health care and professional organizations have confirmed that qualified licensed providers can safely and effectively provide abortion care, including the American College of Obstetricians and Gynecologists (ACOG), the American Public Health Association, the World Health Organization, the American Academy of Physician Assistants, and the National Abortion Federation, among others. Additionally, in a 2018 review, the National Academies of Sciences, Engineering, and Medicine concluded that qualified licensed providers are equally capable of providing safe and effective abortion care as physicians. Experts agree: restricting qualified providers from providing abortion care confers no medical benefit and instead harms patients by limiting access to care.

Given that many people in Hawai‘i routinely receive care from qualified licensed providers, SB 1 would help maintain continuity of care with a single provider. People seeking an abortion should be able to seek care from a provider they trust who builds on-going relationships with patients and is an established abortion care provider. Having community-based providers that patients trust is particularly important for communities who have experienced a history of racism and oppression from the health care system and report a distrust of the medical providers, such as immigrants, Pacific Islanders, including Native Hawaiians, and other communities of color. Allowing PAs to provide abortion care would help people receive highly personal care from a provider they know and trust.

All people in Hawai‘i deserve timely, safe, and local access to abortion care, and providers deserve to do their jobs without fearing they will get sent to jail or lose their career. A pregnant person’s freedom to plan their family is a near unanimously held belief among Hawaii voters – **85 percent of Hawaii voters believe it is important that women have access to all of the reproductive health care options available, including abortion.** We look forward to continuing to work with you to remove legal

barriers to abortion care to ensure that all Hawaii people have full and equal access to the care they need and deserve. Thank you for this opportunity to testify in support of this important legislation.

Sincerely,

Jen Wilbur
Hawai'i State Director
Planned Parenthood Alliance Advocates – Hawai'i

SB-1

Submitted on: 1/30/2023 11:48:29 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Doris Segal Matsunaga	Testifying for Save Medicaid Hawaii	Support	Written Testimony Only

Comments:

Save Medicaid Hawaii strongly supports SB 1. It is vital that we strengthen our laws in light of national events, so Hawaii continues its tradition of valuing family freedom, the right to privacy and full reproductive health care.

Doris Segal Matsunaga, MPH

On behalf of Save Medicaid Hawaii

SB-1

Submitted on: 1/26/2023 4:12:50 PM

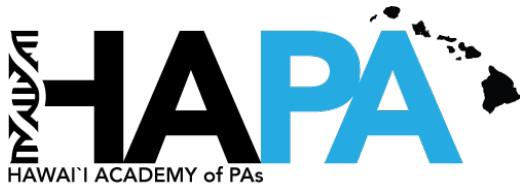
Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Mike Golojuch, Sr.	Testifying for Rainbow Family 808	Support	Written Testimony Only

Comments:

We strongly support SB1.

Mike Golojuch, Sr., Secretary/Board Member



TO: Senate Committee on Health and Human Services
Senator Joy A. San Buenaventura, Chair
Senator Henry J.C. Aquino, Vice Chair
And
Senate Committee on Commerce and Consumer Protection
Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair

Hearing Date/Time: Wednesday, February 1, 2023 1:10 p.m.

Place: Conference Room 225 & Videoconference State Capitol

Re: SB1, Relating to Health Care

Dear Chair San Buenaventura, Vice Chair Aquino, Chair Keohokalole, Vice Chair Fukunaga, and Committee Members,

Thank you for the opportunity to provide testimony on SB1, which includes licensed physician assistants as qualified medical providers, who are authorized to perform an abortion of a nonviable fetus, or an abortion that is necessary to protect the life or health of the female.

Hawai`i Academy of Physician Assistants (HAPA) STRONGLY SUPPORTS SB1

HAPA is the Hawaii state chapter of The American Academy of Physician Assistants.

HAPA supports SB1 because it includes physician assistants as licensed medical providers who are qualified to perform an abortion of a nonviable fetus, or an abortion to protect the life and health of the female. This is consistent with physician assistant training and scope of practice.

Physician assistants are highly skilled medical providers and authorized by the Affordable Care Act, along with physicians and APRNs, to serve as primary care provider (PCP). They receive rigorous medical training modeled on medical school curriculum which includes rotations in family medicine, internal medicine, general surgery, pediatrics, **obstetrics and gynecology**, emergency medicine, psychiatry, and other specialty electives. Physician assistant training programs typically require thousands of hours of previous clinical care experience before matriculation is even considered.

In practice, physician assistants routinely take medical histories, perform physical examinations, order and interpret laboratory tests, diagnose illnesses, develop and manage treatment plans, prescribe medications, and assist during surgery.

Put simply, a physician assistant is qualified to perform any type of medical intervention, including abortions, as determined by the specifics of the practice delegation agreement between the physician assistant and their collaborating physician.

Thank you for this opportunity to testify in support of this important legislation.

Sincerely,

Hawai`i Academy of Physician Assistants



To: Health and Human Services/Commerce and Consumer Protection Committees
Hearing Date/Time: February 1, 2023 /1:10 PM
Place: Hawaii State Capitol, Room 225
Re: Testimony in SUPPORT of SB1

Dear Chair Joy San Buenaventura and Vice-Chair Henry Aquino, and Members of the HHS Committee; Chair Jarrett Keohokalole and Vice-Chair Carol Fukunaga and the Members of the CPN Committee:

Members of AAUW of Hawaii thank you for this opportunity to testify in support of SB1. We applaud the intent of S.B. No. 1 to support the right to abortion access and to protect medical providers.

However, the bill does not go far enough for the following reasons:

1. SB1 combined some of SB890 another updated abortion statute bill and some of the Shield Bill SB896 to protect medical providers.
2. It differs from 890 in that it only addresses the pregnancy of a nonviable fetus, whereas 890 also addresses the termination of a pregnancy of a viable fetus if the termination is necessary to protect the life or health of the patient. SB1 does not get rid of the criminal penalties; 890 does.
3. The Shield Bill SB896 is much more comprehensive in protecting the medical providers than SB1.

Consequently, we ask that SB1 be amended as aforesaid.

Sincerely,
Elizabeth Jubin Fujiwara, Esq.
Public Policy Committee, AAUW of Hawaii
publicpolicy-hi@aauw.net

The American Association of University Women (AAUW) of Hawaii is an all volunteer, statewide chapter of a national organization and is made up of six branches: Hilo, Honolulu, Kaua'i, Kona, Maui, and Windward Oahu. UH Hilo, UH Manoa, UH Maui College, and Windward Community College are also AAUW partners. AAUW's mission is to advance gender equity for equal opportunities in education, at workplace and for economic security, and in leadership.

SB-1

Submitted on: 1/27/2023 7:53:18 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Pride at Work - Hawaii	Testifying for Pride @ Work - Hawaii	Support	Written Testimony Only

Comments:

Aloha Senators,

Pride at Work – Hawai‘i is an official chapter of Pride At Work which is a national nonprofit organization that represents LGBTQIA+ union members and their allies. P@W-HI fully supports Senate Bill 1.

We ask that you support this needed piece of legislation.

Mahalo,

Pride at Work – Hawai‘i



January 31, 2023

To: Senate Committee on Health and Human Services
Date: Wednesday, February 8, 2023 at 1:00PM
From: Hawaii Democratic Party Women's Caucus
Subject: Testimony in Support of SB1 Relating to Health Care

Thank you for the opportunity to provide testimony in support of this bill.

We celebrated that Hawaii was the first state to decriminalize abortion, however last year, the US Supreme Court in *Dobbs vs. Jackson Women's Health*, struck down the 5-decade-old protection of women's rights to privacy and abortion.

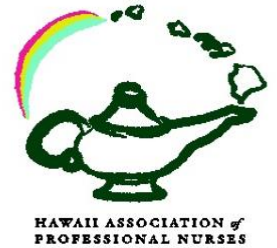
Patients in the United States who for 50 years relied on Federal Law for protection must now look to their state laws for protection won in *Roe v. Wade*. In some states, patients and healthcare workers are facing restrictive or prohibitive laws which make abortion and other reproductive health care impossible to access.

As we must look to Hawaii law for protection, we recognize Hawaii's laws are in serious need of updating, Hawaii's health care workers and patients need protections from punitive laws of other states, and there are opportunities for improvement.

Passage of SB1 is a good start. Please pass it at your earliest opportunity.

Me ke aloha pumehana,
Amy Monk
Nicole Woo
(Co-Chairs)
Hawai'i State Democratic Women's Caucus

Hawai'i Association of Professional Nurses (HAPN)



To: The Honorable Senator Joy San Buenaventura, Chair of the Senate Committee on Health and Human Services; and The Honorable Senator Jarrett Keohokalole, Chair of the Senate Committee on Commerce and Consumer Protection

From: Hawaii Association of Professional Nurses (HAPN)
Subject: SB1 – Relating to Health Care, in Support

Hearing: February 1, 2023, 1:10p.m.

Aloha Senator San Buenaventura, Chair; Senator Aquino, Vice Chair; Senator Keohokalole, Chair; Senator Fukunaga and Committee Members,

Thank you for the opportunity to submit testimony regarding SB1. HAPN believes that healthcare access in Hawaii is at a point where provider supply is not in line with healthcare demand. As such, HAPN is in **Support** of protecting those who seek and provide abortion services from laws from other states that counter the wise policies regarding abortion law in Hawaii.

Our members have always supported patient access to care in our communities. We also believe that our patients and providers need protection from challenges in other states' law. We believe that legal protection for patients, those who assist, and those who perform important health care services require this protection.

HAPN's mission, to be the voice of APRNs in Hawaii, has been the guiding force that propelled us to spearhead the advancement of patients access to healthcare as well as supporting the recognition of the scope of practice for APRNs in Hawaii which led us to full practice authority. We have worked to improve the physical and mental health of our communities. As our ability to provide close care with our patients progressed, we also opened up our own clinics to provide the care our patients deserve. APRNs have played an important role in the healthcare of our communities and we will continue to be by our patients' side as they make many different healthcare decisions throughout their lives.

HAPN respectfully asks your Committees to pass SB1. Thank you for the opportunity to share the perspective of HAPN with your committee. Thank you for your enduring support of the nursing profession in the Aloha State.

Respectfully,
Dr. Jeremy Creekmore, APRN
HAPN President

Dr. Bradley Kuo, APRN
HAPN Legislative Committee, Chair
HAPN Past President



AMERICANS FOR DEMOCRATIC ACTION

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Doug Pyle, Secretary	Stephanie Fitzpatrick	Stephen O'Harrow		

January 28, 2023

TO: Chairs San Buenaventura & Keohokalole and members of HHS/CPN Committees

RE: SB 1 Relating to Health Care

Support for hearing on Feb. 1

Americans for Democratic Action is an organization founded in the 1950s by leading supporters of the New Deal and led by Patsy Mink in the 1970s. We are devoted to the promotion of progressive public policies.

We support SB 1 as it would deter other states from engaging in action against Hawaii doctors who perform abortions. Since the *Hobbs v Jackson* decision, states of a certain political persuasion have been doing all they can to restrict abortion. This law gives important protections for abortion providers in our state.

ADA supports protection of reproductive rights for all in Hawaii, including those who seek, provide, or receive abortion services while in our state. This is an essential right, and Hawaii law should protect all who exercise this right in our state, by prohibiting cooperation with the criminalizing of this right in other states.

We believe SB 1 is a good step toward protection, but we believe that reproductive rights should receive protection and guarantees in the State Constitution. Please start the process for a State Constitutional amendment to this effect.

Thank you for your consideration.

Sincerely,

John Bickel, President



ACOG

The American College of
Obstetricians and Gynecologists

*American College of Obstetricians and Gynecologists
Hawai'i, Guam & American Samoa Section*

TO: Senate Committee on Health and Human Services
Senator Joy A. San Buenaventura, Chair
Senator Henry J.C. Aquino, Vice Chair

Senate Committee on Commerce and Consumer Protection
Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair

DATE: Wednesday, February 1, 2023 at 1:10pm

FROM: Hawai'i Section, ACOG
Reni Soon, MD, MPH, FACOG, Legislative Chair and Immediate Past Chair
Angel Willey, MD, FACOG, Chair

Re: SB 1 Relating to Health Care
Position: SUPPORT

The Hawai'i Section of the American College of Obstetricians and Gynecologists (HI ACOG) **supports with amendments SB 1** which aims protect access to abortion in Hawai'i by protecting Hawaii's healthcare providers from legal actions imposed by states with restrictive abortion laws.

1. **Hawai'i has a long history of recognizing the importance of access to abortion care, and protecting this access is widely supported.** Hawai'i has a proud history of leading the country in protecting reproductive rights, being one of the first states to legalize abortion. Access to abortion has always been widely supported in Hawai'i,¹ and our health care organizations also recognize and support access to abortion. SB 1 would codify Governor David Ige's Executive Order 22-05, which he issued in October 2022² after a joint letter by fourteen organizations representing physicians, nurses and other allied healthcare organizations was sent urging his administration to protect healthcare professionals from out-of-state investigations seeking to impose civil or criminal liability related to the provision of abortion care that is legal in Hawai'i.
2. **Protecting access to abortion care means protecting our healthcare workforce from out of state attacks that are being threatened across the country.** While Hawai'i has been a long-time leader in reproductive health care rights, the landscape in the rest of the country is rapidly changing. Since the *Dobbs v. Jackson Women's Health* decision by the United States Supreme Court in June 2022 that overturned almost fifty years of a constitutional right to abortion and bodily autonomy, several states including Idaho, Oklahoma, and Texas³ have enacted abortion restrictions that are enforced through private, civil lawsuits. In addition, lawmakers in conservative states have threatened to pass laws that would reach across state lines and seek to penalize healthcare providers in other states who

¹ <https://www.pewresearch.org/religion/religious-landscape-study/state/hawaii/views-about-abortion/>

² <https://apnews.com/article/abortion-business-hawaii-david-ige-e6921a42ff56be2d41d377e814565858>

³ <https://reproductiverights.org/wirf-abortion-bans/texas-sb8-copycat-ban-in-effect/>

provided abortion-related care to their residents.⁴ All of these laws aim to restrict the residents of those states from not only accessing basic healthcare in their own state, but from also traveling out-of-state for abortion care.

3. **Abortion related health care is not just provision of abortion, and any healthcare provider caring for a patient who ultimately obtains an abortion can be targeted.** Each person's story is unique. Each person may take a different route on their journey to get abortion care, and the healthcare they access during that process can involve more than just their abortion provider. The urgent care physician who notifies them that they are pregnant when they were feeling ill, the radiologist who does their ultrasound, as well as the healthcare provider who performs the abortion, are all vulnerable to out-of-state threats. Especially given that the pool of abortion providers in the state is small, a threat to our healthcare providers is also a threat to abortion access for all of us in Hawai'i.
4. **Hawai'i healthcare professionals already provide care to many patients from other states.** Caring for patients from other states is nothing new as we have college student from other states, tourists, and military personnel, and we have always taken care of all patients in front of us no matter where they are from. Healthcare providers should not have to wonder or worry about litigation for providing compassionate care that is legal in Hawai'i.
5. **Seven other states have enacted similar laws protecting health care providers.**⁵

Requested amendments to SB 1:

- A) We feel that the provider protection language in SB 896 is more detailed and comprehensive, and therefore we ask that SB 1 be amended to include the provider protection language from SB 896.
- B) We feel that creating a separate chapter in Hawaii Revised Statutes for provider protections (as is proposed in SB 896) is preferable to adding provider protection language to HRS 453-16 (as is proposed in SB 1) because HRS 453-16 is outdated language that needs to be updated and revised, and there are bills proposed this session to update the language in HRS 453-16 (such as SB 890 and SB 1526).
- C) For similar reasons, we would ask the committees consider separating the issue of physician assistants performing abortions from health care provider protections.

For these reasons, Hawai'i ACOG urges the legislature to be proactive and protect abortion access in Hawai'i by protecting our healthcare providers. **Please pass SB 1.**

⁴ <https://www.washingtonpost.com/politics/2022/03/08/missouri-abortion-ban-texas-supreme-court/>

⁵ <https://reproductiverights.org/maps/abortion-laws-by-state/>



February 1, 2023

The Honorable Joy A. San Buenaventura, Chair
The Honorable Henry J.C. Aquino, Vice Chair
Senate Committee on Health and Human Services

The Honorable Jarrett Keohokalole, Chair
The Honorable Carol Fukunaga, Vice Chair
Senate Committee on Commerce and Consumer Protection

Senate Bill 1 – Relating to Health

Dear Chair San Buenaventura, Chair Keohokalole, Vice Chair Aquino, Vice Chair Fukunaga, and Members of the Committees:

The Hawaii Association of Health Plans (HAHP) appreciates the opportunity to testify in support of SB 1. HAHP is a statewide partnership of Hawaii’s health plans and affiliated organizations to improve the health of Hawaii’s communities together. The vast majority of Hawaii residents receive their health coverage through a health plan associated with one of our organizations.

HAHP encourages continued access to quality, medically necessary health care that promotes optimal health outcomes for each of our members and our community at-large. This includes access that is upheld by current state law for legal abortions and to support a female’s right to choose. HAHP supports the legislature’s intent to provide protections for reproductive care providers and patients.

Thank you for allowing us to provide testimony in **support** of SB 1.

Sincerely,

HAHP Public Policy Committee

cc: HAHP Board Members

hahp.org | 818 Keeaumoku St., Honolulu, HI 96814 | info@hahp.org

AlohaCare | HMAA | HMSA | Humana | HWMG | Kaiser Permanente | MDX Hawaii | Ohana Health Plan | UHA Health Insurance | UnitedHealthcare

LATE



February 1, 2023

To: Senator Joy A. San Buenaventura, Chair and
Senator Henry Aquino, Vice Chair and
Members of the Health and Human Services Committee

To: Senator Jarrett Keohokalole, Chair and
Senator Carol Fukunaga, Vice Chair and
Members of the Committee on Commerce and Consumer Protection

From: Jeanne Ohta, Hawai'i State Democratic Women's Caucus

RE: SB 1 Relating to Health Care

Position: STRONG SUPPORT

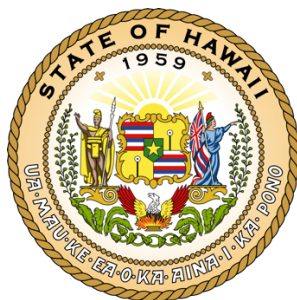
Chair San Buenaventura, Chair Keohokalole and members of the committees. The Hawai'i State Democratic Women's Caucus writes in strong support of SB 1 Relating to Health Care which authorizes licensed physician assistants to perform certain abortions and protects health care providers from certain civil and criminal actions from another state.

This bill is about ensuring access to reproductive care, including abortion care for the women of Hawai'i; care that is essential to women's health and care that they are absolutely entitled to. Protecting providers of such care and expanding care to physician assistants are important to keeping all reproductive care accessible in Hawai'i.

This measure is not only a priority of the Hawai'i State Democratic Women's Caucus; it is also a priority of the Democratic Party of Hawai'i.

The Hawai'i State Democratic Women's Caucus is a catalyst for progressive, social, economic, and political change through action on critical issues facing Hawaii's women and girls.

We respectfully request that the Committees pass this measure. We thank you for the opportunity to submit our testimony in strong support of SB 1.



LATE

‘O kēia ‘ōlelo hō’ike no ke
Komikina Kūlana Olakino o Nā Wāhine

Testimony on behalf of the
Hawai‘i State Commission on the Status of Women

Support for S.B. 1

Dear Chairs San Buenaventura and Keohokalole, Vice Chairs Aquino and Fukunaga, and Honorable Members:

The Hawai‘i State Commission on the Status of Women **supports the intent of S.B. 1 and offers comments.** This bill intends to protect certain abortion care providers from obstructionist efforts. Providing increased protections to the current pool of abortion care providers is important; however, the Commission believes this measure would be more effective if the bill was amended to include the robust and comprehensive language found in S.B. 896.

Accordingly, the Commission asks that the Committees pass S.B. 1 amended to include detailed language protecting patients and providers in S.B. 896.

Mahalo,
Khara Jabola-Carolus, Executive Director

LATE

SB-1

Submitted on: 1/31/2023 2:08:41 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Angelina Mercado	Testifying for Hawaii State Coalition Against Domestic Violence	Support	Written Testimony Only

Comments:

We support SB1 Relating to Health Care, but prefer the language used in SB896.



Submitted Online: January 31, 2023

TO: Senate Committee on Health & Human Services
Sen. Joy San Buenaventure, Chair
Sen. Henry Aquino, Vice Chair

FROM: Eva Andrade, President

RE: Opposition to SB1 Relating to Health Care

Hawaii Family Forum is a non-profit, pro-family education organization committed to preserving and strengthening families in Hawaii. Our organization strongly opposes the amendment because it harms women who may not have access to a medical doctor to perform an abortion.

The intent to make abortions more accessible by using health practitioners other than medical doctors creates undue health risks for women, particularly those in underserved rural communities in Hawai'i.

Regulations on access to abortions are essential to protect the health and life of women who do choose to have an abortion. This amendment strips away the essential protections for women. Allowing health practitioners who do not have the same extensive training as medical doctors to perform abortions will undermine the safety of women in our state.

This bill may benefit traffickers, putting women at risk. Because Hawaii would refuse to engage with other states' abortion laws, SB 1 would prevent Hawaii from helping to identify and bring to justice traffickers who may force girls to undergo abortions. A young girl who is a victim of trafficking or sexual abuse would have no recourse against her abuser who takes her in for an abortion, or against the abortionist if she is harmed in the process.

Finally, it is uncertain what types of complications result from abortions, including death, because no data is available. The U.S. Centers for Disease Control and Prevention (CDC) notes that "states and areas voluntarily report data to CDC for inclusion in its annual Abortion Surveillance Report. CDC's Division of Reproductive Health prepares surveillance reports as data become available, but there is no national requirement for data submission or reporting."ⁱ

Mahalo for the opportunity to submit testimony in opposition.

ⁱ https://www.cdc.gov/reproductivehealth/data_stats/abortion.htm [accessed 01/31/23]

SB-1

Submitted on: 1/31/2023 6:11:33 PM
Testimony for HHS on 2/1/2023 1:10:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Doede Donough, D.O.	Testifying for Ka'u Wellness	Oppose	Written Testimony Only

Comments:

I plead on the behalf of all of the unborn children, fearfully and wonderfully made before the foundation of the earth, for compassion in every lawmaker in Hawai'i Legislature and for the sanctify of human life. The decision to destroy life is not a human responsibility, and especially for those tiny ones so miraculously conceived. Whatever the circumstance of conception, each and every embryo is a miracle and deserves a chance to grow into a beautiful participant in this life on earth. Let us all come together with empathy and compassion for each other, and support not only the babies who cannot speak for themselves, but also the mothers and fathers who deserve a chance at loving their children, even if they choose to give them to those who would nurture children they have not borne as their own. Choose life. Thank you - an osteopathic physician with a heart for the created world.



January 30, 2023

Senator Joy A. San Buenaventura, Chair
Senate Committee on Health and Human Services

Senator Keohokalole, Chair
Senate Committee on Commerce and Consumer Protection

Re: S.B. 1 Relating to Health Care

**Hearing: Wednesday, February 1, 2023, 1:10 PM, Room 225 & Via
Videoconference**

Dear Chair San Buenaventura, Chair Keohokalole, and the Members of the Committees on Health and Human Services and Commerce and Consumer Protection:

Hawaii Women Lawyers is a lawyer's trade organization that aims to improve the lives and careers of women in all aspects of the legal profession, influence the future of the legal profession, and enhance the status of women and promote equal opportunities for all.

Thank you for the opportunity to submit this testimony **supporting the intent of S.B.1**, Relating to Healthcare, which proposes to update Hawai'i's abortion statute and provide additional protection for medical providers who perform abortions.

In the aftermath of the United States Supreme Court's recent decision *in Dobbs v. Jackson Women's Health Organization*, which overturned *Roe v. Wade*, it is more important than ever for the State to reaffirm and shore up the protections for abortion care in Hawai'i law. In the wake of the *Dobbs* decision, many other states have either banned or severely restricted access to abortion. We believe that it is imperative for our state to take a stand against these actions, and ensure that access to abortion is as expansive as possible, while also protecting Hawai'i's health care providers, so that they not subject to arcane civil or criminal penalties.

Hawaii Women Lawyers supports the intent of this measure, but requests some critically important amendments to the bill. The current language of S.B.1 addresses the following; 1) expanding access to abortion by allowing physicians assistants to perform abortions and removing restrictions on where the procedure may be performed; and 2) providing protections for abortion providers and individuals seeking abortions by declaring that civil and criminal actions by states outside of Hawai'i are contrary to the public policy of Hawai'i and shall not be enforceable in any court of the State of Hawai'i.

While we strongly support protecting women's reproductive health rights, we are concerned that as presently drafted, S.B. 1 does not go far enough to update Hawai'i's existing abortion

statute, provide adequate reproductive health protections and choices for women, or protect health care providers in our state that perform or assist with providing abortions. **For this reason, we would respectfully request that the Committees:**

- 1) Replace S.B.1's abortion statute update language (page 1, lines 3-16) with the corresponding language in S.B. 890 (Relating to Health Care).**
- 2) Remove the language relating to civil and criminal penalty enforcement (page 2, line 15-page 4, line 2), and instead pass S.B. 896 (Relating to Reproductive Health Care) which is also set for hearing before these Committees.**

There are several issues addressed in S.B. 890 and S.B. 896 which are not addressed in this bill. For example, S.B.1 restates a woman's right to terminate a nonviable fetus, but does not explicitly address when an abortion is necessary to protect the life or health of the patient. In addition, while S.B. 1 addresses the enforceability of civil and criminal actions in Hawai'i, S.B. 896 represents a far more comprehensive approach to shielding abortion providers in the state. Among other things, S.B. 896 fully addresses the removal of civil and criminal penalties for health care providers perform or assist with performing abortions in Hawai'i, prohibits the issuances of subpoenas in out of state proceedings in connection with services legally performed in Hawai'i, prohibits the State from penalizing, prosecuting, or taking any adverse action based on pregnancy outcomes, and updates licensing statutes to make it clear that providers cannot be penalized or investigated for performing lawful abortions.

For these reasons, we respectfully submit our support for the intent of S.B.1 and ask for the amendments we have outlined in this testimony.

SB-1

Submitted on: 1/31/2023 12:08:50 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Shandhini Raidoo	Individual	Support	In Person

Comments:

Aloha,

I am a board-certified obstetrician-gynecologist and a complex family specialist. I provide comprehensive reproductive health care including abortion care. SB1 protects healthcare providers like me and my colleagues as we provide critically important abortion care to our community and to people who travel to Hawaii seeking care.

Lawmakers in conservative states have threatened to pursue legal action against abortion providers in states like ours where abortion is legal. SB1 reinforces that Hawaii affirms the right of people to choose an abortion and protects the abortion providers who care for people who need an abortion.

I strongly urge you to SUPPORT SB1 with the consideration of adding/amending the language to include the provider protections detailed in SB896, the language of which is more detailed and comprehensive.

Mahalo for your consideration,

Shandhini Raidoo, MD, MPH

SB-1

Submitted on: 1/30/2023 10:11:40 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Tracy Chen	Individual	Support	In Person

Comments:

I am a Complex Family Planning Fellow of the University of Hawai'i's Department of OBGYN. I completed my OBGYN residency in Philadelphia, Pennsylvania, and am currently undergoing a two-year fellowship at the University of Hawai'i to become a subspecialist in complex contraception and abortion care. When I was applying for fellowship, the University of Hawai'i was my number-one choice because of the state's legacy of protecting abortion access, which was personified in its providers and the passion and dedication I saw from them on a national stage.

Because of the university's reputation in the field of complex family planning, based on Hawai'i's legacy, the University of Hawai'i draws top applicants for both medical school and residency. Training and education in this area has historically been difficult to access, and is expected to become even more difficult in the coming years due to the Supreme Court decision in *Dobbs v. Jackson*. This new generation of trainees, of which I am a part, is passionate and committed to providing the full spectrum of reproductive healthcare, including abortion. By showing the rest of the country that Hawai'i continues to be a leader in reproductive rights, we will continue to attract the top recruits to the state in fields like obstetrics and gynecology and family practice.

SB1 provides critical and timely protections to prevent legal actions against our healthcare providers and patients in Hawai'i, from other states who seek to impose their punitive abortion laws on abortion care legally provided here. However, I feel the provider protections in SB 896 are more detailed and comprehensive, therefore, I ask that SB1 be amended to include the provider protection language of SB 896, so that SB1 can properly reinforce that such hostile laws by foreign states are contrary to our public policy and state constitutional right of privacy.

I think of the patient that I saw recently, who was on island visiting her family and just so happened to find out that she was pregnant a mere three days before she, along with her partner and toddler, was supposed to fly back to her home state. Continuing this pregnancy was not the right decision for her or her family, but abortion would not be an option for her once she left Hawai'i, and so she and her partner were left scrambling for appointments. Thankfully, she was able to make an appointment with our office and get the care she needed before her flight back.

This patient reminded me that the people of Hawai'i don't all live in Hawai'i. Many of them live on the mainland, and look forward to reuniting with their family and the beautiful weather during the holidays and birthdays, and every other day of the year. They deserve care just as their family who lives here does, and myself and other healthcare providers deserve to be able to take care of

them without fear of civil lawsuits, criminal prosecution, and disciplinary action from foreign states, just for providing care that is fully legal in this state.

I urge you to pass SB1 with the appropriate amendments.

SB-1

Submitted on: 1/30/2023 1:20:21 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Bliss Kaneshiro	Individual	Support	In Person

Comments:

I am an OB/GYN in Hawaii who has been practicing here for the last 16 years. I am licensed in both Hawaii and Guam and provide medical care here in Hawaii. Through telemedicine I am also able to provide medical care to patients in Guam. Simply stated - abortion access is essential to the wellbeing of Hawaii's families.

SB1 provides protections to prevent legal actions against our healthcare providers and patients in Hawaii, from other states who seek to impose their punitive abortion laws on abortion care legally provided in Hawaii.

Lawmakers in several states have stated they will introduce bills that would threaten access to abortion in other states, like Hawaii. Civil law suits, criminal prosecution and disciplinary action against healthcare providers should not be threatened against providers who provide abortion services that are fully legal in Hawaii.

Last month I took care of a patient who traveled from Oklahoma for abortion care. Though it took considerable time and expense for her to travel here – she and her husband were both from Hawaii and had moved to Oklahoma for work. She has family here so she felt like she had a support system here. This was a planned and strongly desired pregnancy but the pregnancy had a severe anomaly. Though the travel made the situation even more stressful, she was grateful to be able to receive care in Hawaii.

Lack of protections for providers will limit abortion access here in Hawaii. Access is already tenuous with many OBGYNs deciding not to provide abortion care. Just one civil suit or threat of criminal prosecution will make some providers decide not to care for patients traveling from other places.

I urge you to pass SB1.

Bliss Kaneshiro

SB-1

Submitted on: 1/31/2023 7:30:49 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Dani Mathisen	Individual	Support	In Person

Comments:

hello my name is Dr Dani Mathisen and I am an OB/GYN in training on Oahu, Hawaii, and I know firsthand the importance of access to abortion care in not only promoting the wellbeing of Hawaii's families, but in reducing pregnancy-related illness and death.

SB1 provides critical and timely protections to prevent legal actions against our healthcare providers and patients in Hawaii, from other states who seek to impose their punitive abortion laws on abortion care legally provided in Hawaii.

Lawmakers in conservative states have threatened to introduce bills to penalize abortion care provided in Hawaii, by threats of civil law suits, criminal prosecution, disciplinary action against healthcare providers, for performing abortion services that are fully legal in Hawaii.

SB 1 properly reinforces that such hostile laws by foreign states are contrary to the public policy and state constitutional right of privacy in Hawaii.

In my fourth year of medical school, my husband and I were blessed with a miracle pregnancy. Everything went well. I was young, I took my vitamins, I never missed an appointment and our prenatal testing came back normal. At our anatomy scan, however, we learned that my daughter had multiple lethal fetal anomalies. Senate Bill 8 had just passed in Texas and we were unable to receive counseling on options more or less actual care. We turned to Dr. Google for advice and had to call multiple clinics before we found someone with availability to see us. This clinic was >600 miles from my home and we had to get on a plane the next day. What we did was completely legal in the state we went to, but we still lived in fear that our decision would come back to penalize us back in our home state. Having to leave my home was traumatizing enough, but worrying that state laws could pass state lines added that much more trauma and stress. I support SB1 so that other pregnant people like me don't have to suffer from the added stress of sharing personal medical decisions across state lines that could then penalize them. Such action violates provider and patient confidentiality and creates further barriers to an already difficult journey to navigate.

I urge you to pass SB 1. Additionally, I feel the provider protections in SB 896 are more detailed and comprehensive, therefore, I ask that SB 1 be amended to include the provider protection language of SB 896

In 2021, my partner and I had an abortion.

Right-wing political ideologues like to push this false and damaging narrative: *those who seek abortions and the Democrats who support them believe this decision is one they enjoy and celebrate.* Not true. I'd prefer 20ft waves crashing down on my head - ALL day - instead of going through this process with my partner again.

Getting an abortion requires so many serious, stressful, and hasty discussions, debates, and decisions; and inevitably comes with a tremendous sense of loss. It was a deeply painful experience for my partner and I – hardly cause for celebration.

We should all have the right to bodily autonomy. So I supported her and whatever decision she made - as any man should. But that decision is just the first step in a painful journey.

I frantically looked for a place that offered abortions on the Big Island. After days of research, the only places I could connect with were crisis pregnancy centers who pushed us to keep the child - without even asking my partner or myself what we wanted. Nor would they direct me to any who could perform an abortion.

The Planned Parenthood clinics in Kona and Hilo were closed due to bomb threats. The health care providers were bullied and intimidated with death threats.

How can a “pro-lifer” live with that moral paradox? Why is it ok to threaten the death of a doctor to protect “life”.

One Kona doctor I found had performed the procedure for over 20 years; but when I called her office, I was told she stopped for fear of retaliation. We finally found the LAST doctor on the island who could help us – but we had to travel all the way to Hilo. Of course, when we got to her office, shouting at us as we entered was the classic old haole man waving disturbing and graphic signs to guilt-trip and emotionally manipulate us.

To this man, and to those who are committed to abolishing the legal right to abortion, I ask: How many children have you adopted? Fostered? Have you volunteered at an orphanage? Do you support universal healthcare, childcare, and paid family leave to ensure these babies are safe and fed? Will you dedicate the same amount of time to helping unwanted children as you do holding signs in front of abortion clinics?

People who claim to be “pro-life” also disregard the life of the mother. And not just her mortal coil, but they ignore the fact that a mothers’ path in life must adjust to fit the life of the child. Pro-life groups tend to inflate the “life” of the fetus as greater than the mother’s. Whose life must be dedicated to develop and grow said fetus? The mother’s. Women literally create life. Is it really too much to allow them the time, place, and autonomy to decide on how they’d like to accomplish such a monumental, biological feat? Giving birth is a decision, not an obligation.

Which highlights another moral paradox I can’t understand - why are small government conservatives OK with the government telling us what to do with our bodies?

Though our decision to get an abortion was harrowing; in light of the recent overturning of Roe v. Wade, I'm eternally grateful the federal law – at that time - protected our right to even MAKE that decision. Sadly, what we do with our own bodies is no longer a choice for far too many.

SB-1

Submitted on: 1/29/2023 12:53:41 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Thaddeus Pham	Individual	Support	Written Testimony Only

Comments:

Aloha Chair San Buenaventura, Vice Chair Aquino, and HHS Committe members,

As a deeply concerned citizen and public health professional, I write in strong support of SB1, which would protect people seeking abortions in Hawai'i from regulations in other state.

First of all, Hawai'i not be subject to laws and rules in other jurisdictions, as they do not represent the will and spirt of the local communities. Furthermore, limiting abortion access is not beneficial to public health leading to both economic and social harm. For more information on the public healht importance of abortion access, please refer to :
<https://publichealth.jhu.edu/2021/public-health-in-the-field-the-public-health-case-for-abortion-rights>.

With thanks,

Thaddeus Pham (he/him)

SB-1

Submitted on: 1/26/2023 5:47:23 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Will Caron	Individual	Support	Written Testimony Only

Comments:

Dear Senators,

I strongly support this and other protections for those seeking to access safe and private reproductive health care, and for those practicing this important branch of health care within the State of Hawai'i.

Mahalo,

Will Caron
Kahalu'u, O'ahu

SB-1

Submitted on: 1/26/2023 10:06:33 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
lynne matusow	Individual	Support	Written Testimony Only

Comments:

I am in full support. Imua women's rights and their ability to control their own body.

lynne matusow

SB-1

Submitted on: 1/27/2023 11:55:42 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Myron Berney	Individual	Support	Written Testimony Only

Comments:

SUPPORT ACCESS TO ALL HEALTHCARE

FREE COMPETITION IN THE HEALTHCARE MARKETPLACE

SB-1

Submitted on: 1/27/2023 12:30:38 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Grace Alvaro Caligtan	Individual	Support	Written Testimony Only

Comments:

My name is Grace Alvaro Caligtan and I am writing as a community member who lives in House District 27 and Senate District 14. I am a dedicated community health educator and voter who cares about protecting and expanding abortion rights and sexual reproductive health access during this critical time. I am also a dedicated parent and trusted adult to many youth and young adults who for the first time in 50 years are witnessing a roll-back of bodily autonomy and freedom in other states.

For this reason, I strongly support SB1.

According to a timely Guttmacher Institute policy analysis*, "In 2022, Maryland passed a law expanding abortion provision beyond physicians to include nurse-practioners, nurse-midwives, physician assistants and other trained medical professionals and allocated \$3.5 million of the annual state budget for abortion training. Another 19 states and the District of Columbia have similar policies that expand the network of providers able to perform abortions."

In our state, currently only physicians and advanced practice registered nurses can provide abortion. If the legislature were to allow nonphysician clinicians to provide abortions and expand training programs for performing abortions, this would increase the pool of abortion providers, decrease barriers to health care, and enhance access for rural Oahu and neighbor island communitites. Furthermore, this bill also strengthens a legal shield so that medical providers who provide abortions can provide health care with full confidence and support of the law.

Most important, those seeking abortion care from outside of HI, can do so without the fear of criminalization or legal stigma.

Please support SB1 and help to strengthen health care access this year. Thank you.

Grace Alvaro Caligtan

* Please see:

<https://www.guttmacher.org/2023/01/eight-ways-state-policymakers-can-protect-and-expand-abortion-rights-and-access-2023>

SB-1

Submitted on: 1/27/2023 7:37:50 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Michele Golojuch	Individual	Support	Written Testimony Only

Comments:

This bill has my full support. Reproductive health should not be criminalized in any way and supporting a woman's rights to make her own choices about her health should never be criminalized.

SB-1

Submitted on: 1/28/2023 3:02:47 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah G. Nehmad	Individual	Support	Written Testimony Only

Comments:

I STRONGLY support SB1. Hawaii has always been at the forefront of protecting women's reproductive rights and this bill assures that we will continue this tradition

SB-1

Submitted on: 1/29/2023 11:57:25 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Mirtha Oliveros	Individual	Support	Written Testimony Only

Comments:

I SUPPORT SB1's authorization of licensed physician assistants to provide abortion care.

- This will help address our shortage of abortion providers, particularly on neighbor islands, to assure better access and prompt medical service.
- This will help save neighbor island residents from having to fly to Honolulu for abortion care, with attendant travel costs, time off from work and child-care arrangements.
- Physician assistants already provide a wide range of medical care much more complex than abortion, and should be permitted to provide abortion care, just as Advanced Practice Registered Nurses already do.

I also REQUEST AMENDMENTS TO SB1:

- We need better protections for our abortion providers and patients so they are not punished by legal actions in other states, such as Texas, who seek to impose their punitive abortion bans on abortion care legally provided in Hawaii. SB1's shield provisions should be amended to incorporate the more detailed protections in SB896.

SB-1

Submitted on: 1/29/2023 12:39:01 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
cheryl Burghardt	Individual	Support	Written Testimony Only

Comments:

As a constituent of Senate Distric 13 and House District 28, I would like to submit my SUPPORT of SB 1. This bill is extremely important for the continued protection and safety of people in Hawai`i but other places as well. Through the past years and especially now we are seeing a push to rescind the measures that have given many the ability to make decisions for their bodies and families. I am an educator and trusted adult to many and for the first time in 50 years (my adult lifetime) we are witnessing a roll-back of bodily autonomy and freedom in other states. Hawai`i is unique and many of our paths of law are based on solid understanding of community and traditional ways.

Currently, In our state, only physicians and advanced practice registered nurses can provide abortion. If the legislature were to allow nonphysician clinicians to provide abortions and expand training programs for performing abortions, this would increase the pool of abortion providers, decrease barriers to health care, and enhance access for rural Oahu and neighbor island communitites. Furthermore, this bill also strengthens a legal shield so that all our medical providers who provide abortions can provide health care with full confidence and support of the law and those seeking care from outside of HI, can do so.

I strongly support SB 1

SB-1

Submitted on: 1/29/2023 12:51:01 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Jennifer Taylor	Individual	Support	Written Testimony Only

Comments:

Our laws to provide access mor critical medical care only go so far. Access to safe medical care, including terminating pregnancy, is so limited by the lack of licensed providers. This is a serious restriction of the rights of those who do not live on Oahu. Authorize licensed physicians assistant to perform terminations, as they are clearly trained and competent to do. This one bill is essential to the rights of patients on the other islands.

SB-1

Submitted on: 1/29/2023 8:21:51 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Esther Geil	Individual	Support	Written Testimony Only

Comments:

Please support this important bill, and since we need better protections for our abortion providers and patients so they are not punished by legal actions in other states, such as Texas, who seek to impose their punitive abortion bans on abortion care legally provided in Hawaii, SB1's shield provisions should be amended to incorporate the more detailed protections in SB896.

Thank you!

SB-1

Submitted on: 1/29/2023 9:39:43 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Yvonne Lau	Individual	Support	Written Testimony Only

Comments:

Chair San Buenaventura, Vice Chair Aquino, and members of the Committee on Health and Human Services,

Chair Keohokalole, Vice Chair Fukunaga, and members of the Committee on Commerce and Consumer Protection,

I write in **STRONG SUPPORT** of SB 1 and request an amendment.

We must take action now to update and strengthen our laws to ensure safe and legal access to abortion and reproductive health care for all patients and to authorize licensed physician assistants to provide abortion care.

We must address the shortage of abortion providers, particularly on neighbor islands, to assure better access and prompt medical service for women seeking reproductive health care. Neighbor island residents have been impacted the most as they must fly to Honolulu for abortion care, these attendant travel costs, time off from work and need for child-care arrangements places our neighbor island patience at risk for needed reproductive care. Physician assistants already provide a wide range of medical care much more complex than abortion care and should be permitted to provide these procedures, just as Advanced Practice Registered Nurses already do.

I also request that you amend the current bill to provide better protections for our abortion providers and patients so they are not punished by legal actions in other states, such as Texas, who seek to impose their punitive abortion bans on abortion care legally provided in Hawaii. SB1's shield provisions should be amended to incorporate the more detailed protections found in SB896.

SB-1

Submitted on: 1/29/2023 10:41:55 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Sara Harris	Individual	Support	Written Testimony Only

Comments:

I am an OBGYN in Hawaii and practice in Waipio. I have been in practice for 5 years, and I know firsthand the importance of access to abortion care in not only promoting the wellbeing of Hawaii's families, but in reducing pregnancy-related illness and death.

SB1 provides critical and timely protections to prevent legal actions against our healthcare providers and patients in Hawaii, from other states who seek to impose their punitive abortion laws on abortion care legally provided in Hawaii.

Lawmakers in conservative states have threatened to introduce bills to penalize abortion care provided in Hawaii, by threats of civil law suits, criminal prosecution, disciplinary action against healthcare providers, for performing abortion services that are fully legal in Hawaii.

SB1 properly reinforces that such hostile laws by foreign states are contrary to the public policy and state constitutional right of privacy in Hawaii.

I think of a patient I once took care of who had a complicated delivery. She lost a lot of blood and needed a blood transfusion. She left the hospital feeling grateful to be alive. Four months later, she found out she was pregnant again. She was terrified to re-live the trauma of her recent delivery and elected to have an abortion. She again felt so grateful that this option was available to her.

I urge you to pass SB1 with amendments for this patient and others like her.

Requested amendments

I feel the provider protections in SB896 are more detailed and comprehensive, therefore, I ask that SB1 be amended to include the provider protection language of SB896.

Respectfully submitted,

Sara C. Harris, MD

SB-1

Submitted on: 1/30/2023 9:50:17 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Coralie Matayoshi	Individual	Support	Written Testimony Only

Comments:

I strongly support SB 1 and request that the bill be strengthened by incorporating the more detailed protections in SB896.

SB 1 will help address our shortage of abortion providers by authorizing licensed physician assistants to provide abortion care, particularly on neighbor islands, to assure better access and prompt medical service.

The bill will help save neighbor island residents from having to fly to Honolulu for abortion care, with attendant travel costs, time off from work and child-care arrangements.

Physician assistants already provide a wide range of medical care much more complex than abortion, and should be permitted to provide abortion care, just as Advanced Practice Registered Nurses already do.

In order to better protect our abortion providers and patients so they are not punished by legal actions in other states, such as Texas, who seek to impose their punitive abortion bans on abortion care legally provided in Hawaii, the more detailed protections in SB896 should be incorporated into SB 1.

SB-1

Submitted on: 1/30/2023 12:58:35 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Jaworowski	Individual	Support	Written Testimony Only

Comments:

Please support SB 1, which allows licensed physician assistants and licensed advanced practice registered nurses to provide abortion services. This will provide parity to the neighbor islands, which have shortages of medical services providers, to access a full range of medical services. Allowing licensed physician assistants and licensed advanced practice registered nurses to perform abortions helps to ensure reproductive choice to all women in the state, saving neighbor island women the time and cost of flying to Oahu for abortion care when there could be safe local options.

Licensed physician assistants and licensed advanced practice registered nurses already provide a wide range of medical care much more complex than abortion, and should be permitted to provide abortion care as well.

SB-1

Submitted on: 1/30/2023 9:52:10 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Cristina Bacchilega	Individual	Support	Written Testimony Only

Comments:

This authorization of licensed physician assistants to provide abortion care will help those who need this care on outer islands, making it less likely for them to have to travel to Honolulu with all the financial and other burdens that entails. Please pass this!

Also in order to be fully effective SB1 should incorporate the protections that SB896 details for healthproviders and patients seeking abortion care in Hawai'i. Please include this to amend SB1. Mahalo!

SB-1

Submitted on: 1/30/2023 10:45:12 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
ELIZABETH K TAITANO	Individual	Support	Written Testimony Only

Comments:

We need better protections for our abortion providers and patients so they are not punished by legal actions in other states, such as Texas, who seek to impose their punitive abortion bans on abortion care legally provided in Hawaii. SB1's shield provisions should be amended to incorporate the more detailed protections in SB896. This will help save neighbor island residents from having to fly to Honolulu for abortion care, with attendant travel costs, time off from work and child-care arrangements. Physician assistants already provide a wide range of medical care much more complex than abortion, and should be permitted to provide abortion care, just as Advanced Practice Registered Nurses already do.

SB-1

Submitted on: 1/30/2023 1:11:18 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
nancy sidun	Individual	Support	Written Testimony Only

Comments:

I am in support of SB1, however, do request amendments. I fully support SB1's authorization of licensed physician assistants to provide abortion care. As a women that required an abortion, I know the importance of being able to get a timely abortion. Given Hawaii's shortage of abortion providers, particularly on our neighbor islands, it is critical we assure access and prompt medical service. Additionally, it will help our neighbor island residents from having to fly to Honolulu for abortion care, added expenses, and time off from work and child-care arrangements. Physician assistants already provide a wide range of medical care much more complex than abortion, and should be permitted to provide abortion care, just as Advanced Practice Registered Nurses already do.

Please amend SB1 in the following way -- We need better protections for our abortion providers and patients so they are not punished by legal actions in other states, such as Texas, who seek to impose their punitive abortion bans on abortion care legally provided in Hawaii. SB1's shield provisions should be amended to incorporate the more detailed protections in SB896.

SB-1

Submitted on: 1/30/2023 4:11:50 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Richard Tillotson	Individual	Support	Written Testimony Only

Comments:

Aloha,

Hawaii was the first state to legalize abortion. I urge you to follow in the brave footsteps of those legislators in 1970 and put today's Hawaii in the forefront of protecting women from attempts to compromise or outright ban what should be their basic rights. I urge you to support SB1.

Thank you for considering my testimony and mahalo for your service.

Richard Tillotson

SB-1

Submitted on: 1/31/2023 9:00:10 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Lorraine	Individual	Support	Written Testimony Only

Comments:

SUPPORT SB1’s authorization of licensed physician assistants to provide abortion care.

- This will help address our shortage of abortion providers, particularly on neighbor islands, to assure better access and prompt medical service.
- This will help save neighbor island residents from having to fly to Honolulu for abortion care, with attendant travel costs, time off from work and child-care arrangements.
- Physician assistants already provide a wide range of medical care much more complex than abortion, and should be permitted to provide abortion care, just as Advanced Practice Registered Nurses already do.

REQUEST AMENDMENTS TO SB1:

- We need better protections for our abortion providers and patients so they are not punished by legal actions in other states, such as Texas, who seek to impose their punitive abortion bans on abortion care legally provided in Hawaii. SB1’s shield provisions should be amended to incorporate the more detailed protections in SB896.

SB-1

Submitted on: 1/30/2023 11:30:38 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Judith White	Individual	Support	Written Testimony Only

Comments:

Abortion care IS health care.

SB-1

Submitted on: 1/30/2023 10:03:58 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Raulette Carson	Individual	Support	Written Testimony Only

Comments:

I support SB1, authorizing Physician's Assistants to perform abortions and protecting the doctors and Physicians Assistants from lawsuits for performing these abortions since they are legal in Hawaii. There are not enough Physicians in the state of Hawaii, especially on the neighbor islands who can perform abortions. Women who choose to have an abortion must fly to Honolulu, find a safe place to recover from the procedure and then fly home again. The added expense, plus time off from work and perhaps childcare is enough to cause many to try other alternatives, or to go ahead with an unwanted pregnancy. Please help all women to have the same cost effective access to the process of abortion in the state of Hawaii. Also we need to protect the doctors and physician's assistants from lawsuits from outside the state when they are just providing safe medical care to women in Hawaii. Thank you for hearing my testimony. Mahalo, Raulette Lee Carson.

SB-1

Submitted on: 1/30/2023 11:00:10 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Brian Goodyear	Individual	Support	Written Testimony Only

Comments:

This bill will help to alleviate the shortage of health care providers, particularly on the neighbor islands and in rural areas of Oahu, who can perform legal abortions. Appropriately trained Physician Assistants are well qualified to provide this essential service.

The bill should be amended to incorporate the more comprehensive protections that will be provided by SB 896.

SB-1

Submitted on: 1/30/2023 11:30:22 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Carla Allison	Individual	Support	Written Testimony Only

Comments:

My name is Carla Allison and I strongly support SB1 with the added provisions in SB896. The combination of SB1, ensuring expanded abortion access on neighbor islands, along with the more detailed protection in SB896 will ensure the future of health care choice in Hawaii. Please support SB1 and amend it to include the elements of SB896. Thank you.

SB-1

Submitted on: 1/30/2023 11:37:23 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Alton Couturier	Individual	Support	Written Testimony Only

Comments:

Dear legislators: Please enable and authorize ARNPs (advanced Practice RNs) and PAs (physican assistants) to be able to assess patients for the prescription of mifepristone and misoprostol (or other similar products) to maintain their body agency and welfare. Mahalo nui!

SB-1

Submitted on: 1/30/2023 12:32:34 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Nanea Lo	Individual	Support	Written Testimony Only

Comments:

Hello,

My name is Nanea Lo. I'm born and raised in the Hawaiian Kingdom and a Kanaka Maoli. I support SB1.

I believe that providers should be protected and physician assistant should be able to provide abortion care. This is care that all people in Hawai'i should have regardless what island they live on.

me ke aloha 'āina,
Nanea Lo

SB-1

Submitted on: 1/30/2023 1:00:55 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Teani	Individual	Support	Written Testimony Only

Comments:

Aloha my name is Teani Marquez.

I am a first year student at the University of Hawai'i at Mānoa. I strongly support SB1. Our state should let women in who seek to have an abortion.

Mahalo nui.

SB-1

Submitted on: 1/30/2023 12:57:41 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Janet Taylor	Individual	Support	Written Testimony Only

Comments:

I fully support all aspects of SB1. Keep Hawai'i State policies in the hands of its citizens without outside interference.

To: Hawaii State Senate Committees on Health and Human Services and
Commerce and Consumer Protection

Hearing Date/Time: Wednesday, February 1, 2023, 1:10pm

Place: Hawaii State Capitol, CR 225 & Videoconference

Re: Judith Ann Armstrong is in strong support of SB1 authorization of licensed physician assistants to provide abortion care.

Dear Members of the Health and Human Services and Commerce and Consumer Protection Committees,
I, Judith Ann Armstrong, am in strong support of S1 Relating to reproductive healthcare.

This will help address our shortage of abortion providers, particularly on neighbor islands, to assure better access and prompt medical service.

- This will help save neighbor island residents from having to fly to Honolulu for abortion care, with attendant travel costs, time off from work and child-care arrangements.
- Physician assistants already provide a wide range of medical care much more complex than abortion, and should be permitted to provide abortion care, just as Advanced Practice Registered Nurses already do.

REQUEST AMENDMENTS TO SB1:

- We need better protections for our abortion providers and patients, so they are not punished by legal actions in other states, such as Texas, who seek to impose their punitive abortion bans on abortion care legally provided in Hawaii. SB1's shield provisions should be amended to incorporate the more detailed protections in SB896.

Thank you for this opportunity to testify in support of SB1.

Sincerely,

Judith Ann Armstrong

TESTIMONY OF ELLEN GODBEY CARSON

I write in support of SB 1, with a request for amendment.

While I write as an individual, I have served as President of Hawaii Women Lawyers, the Hawaii State Bar Association, and the Sex Abuse Treatment Center. The major part of my legal career was spent in civil rights and health law, including protecting our rights to abortion here in Hawaii.

We can be proud that Hawaii was the first state to recognize the right of access to safe and legal abortion (1970). Unfortunately, our abortion laws have not kept pace with medical advances, reproductive needs in our community, or protections needed from foreign states who seek to impose their punitive abortion bans on our islands. We need to modernize and strengthen our laws to assure abortion services will be safe, medically appropriate, and protected for the next generations.

I SUPPORT SB1's authorization of licensed physician assistants to provide abortion care.

- Physician assistants are highly skilled health care providers working under direct supervision of a physician. They already provide a wide range of medical services in surgery and clinical care, including procedures much more complex than abortion. They should be permitted to provide abortion care, as APRN's already do.
- Allowing PA's to provide abortion care helps address our shortage of abortion providers, especially on neighbor islands. This assures better access and prompt medical service (essential for having the safest abortion care) and removes burdensome costs of travel from neighbor island residents for abortion care.

I REQUEST AMENDMENTS to strike SB 1's shield provisions in sections (f) and (g). and instead support SB 896 as Hawaii's new shield law. Alternatively, incorporate the text of SB 896 in its entirety into SB 1. SB 1 is well intentioned and a shield law is critically important to protect abortion in this state, but SB 1's shield provisions are not up to the task.

- We are facing threats of civil lawsuits, criminal prosecutions, and medical licensure disciplinary actions from foreign states who seek to impose their punitive abortion bans on abortion providers and their patients in this state. We need the strongest shield law we can create to protect health care providers and their patients in Hawaii.
- Law suits will soon be waged in the federal courts to determine which state's abortion laws are due "Full Faith and Credit." Hawaii deserves much more than SB 1's weak provisions to help protect from these challenges.

What is the difference between the shield law provisions in SB 1 vs SB 896?

- SB 1 shield provisions:
 - SB 1 is seriously incomplete and too cursory to provide adequate levels of protection for our health care providers and patients.
 - SB 1 only provides a very limited shield from civil actions (16 lines of text).

- SB 1 has only 3 lines of text that address criminal prosecutions.
- SB 1 fails to have any provisions to protect from medical licensure disciplinary actions by these foreign states
- SB 1 fails to provide any preamble giving full foundation for this fundamental right and misses opportunities to help strengthen our public policy statement to shield from punitive actions by these foreign state laws.
- SB 896's shield provisions:
 - SB896 has been carefully crafted with detailed model language covering 19 pages, to provide robust protections for our health care providers and patients
 - SB 896 provides a strong preamble establishing the foundation of our state's public policy on abortion and even stronger text creating numerous essential protections from civil and criminal liability, discovery proceedings and judicial procedures, as well as medical licensure disciplinary actions.

Imagine you are one of Hawaii's health care providers performing this important health care. Wouldn't YOU want the fullest protection from civil, criminal, and disciplinary proceedings arising from foreign states' punitive abortion laws? Then please make these amendments.

Our providers – and their patients - deserve the fullest protection.

Mahalo for protecting our reproductive freedoms here in Hawaii.

Ellen Godbey Carson, Honolulu, Hawaii

SB-1

Submitted on: 1/30/2023 1:53:06 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Katie Mecklenburg	Individual	Support	Written Testimony Only

Comments:

Protect women's bodily autonomy. Women must be able to make choices about thier own bodies, lives and family planning.

Women in the state of Hawaii depend on this right, and we must protect it.

If women come here from out of state, they must also be afforded the choices and protected from other state's inquiries, as personal medical records are not the business of the state. Personal decisions of a person's own body and life must be protected.

SB-1

Submitted on: 1/30/2023 6:32:36 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Kayla Doherty	Individual	Support	Written Testimony Only

Comments:

As a Hawai'i resident, I support Bill SB1 and the expansion of surgeries able to be performed by licensed physician assistants. Abortion is healthcare and physician assistants receive training in and shadow different surgeries. Allowing physician assistants to perform certain abortions will expand abortion services to in- and out-of-state patients.

SB-1

Submitted on: 1/30/2023 7:06:35 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Erin Gertz	Individual	Support	Written Testimony Only

Comments:

I am writing to support this measure as an active and practicing OB/GYN in Hawaii. In states that have banned reproductive health care since *Roe v. Wade* was overturned, abortion providers might be disciplined or lose their professional license, just for providing care patients need. Attacks on gender affirming care could create similar risks for providers.

Please protect me and other reproductive health providers so we can continue to provide appropriate and comprehensive health care to anyone who needs it. If providers are disciplined or charged in other states, they shouldn't be punished for providing reproductive or gender affirming care that's legal here in our state.

Thank you,

Erin Gertz, OB/GYN

SB-1

Submitted on: 1/30/2023 7:14:51 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
B.A. McClintock	Individual	Support	Written Testimony Only

Comments:

Please support this important bill. We must protect our health care providers!

SB-1

Submitted on: 1/30/2023 12:48:00 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Paolo Marra-Biggs	Individual	Support	Written Testimony Only

Comments:

I support this measure, to provide access to womans healthcare, including abortions.

SB-1

Submitted on: 1/30/2023 2:40:39 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Chuck Taylor	Individual	Support	Written Testimony Only

Comments:

Protect providers from hostile states and allow physician assistants to provide certain kinds of abortion care, a critical issue in the face of Hawai'i's provider shortage.

February 1, 2023

The Honorable Joy A. San Buenaventura, Chair
Senate Committee on Health & Human Services
And

The Honorable Jarrett Keohokalole, Chair
Senate Committee on Commerce & Consumer Protection
Hawaii State capitol
415 South Beretania
Honolulu, HI 96813

Testimony in Support of SB 1 Relating to Health Care

Thank you for accepting my testimony in support of Senate Bill 1 which authorizes licensed physician assistants to perform certain abortions. The bill also declares laws in other states that are contrary to Hawaii's to be unenforceable in our courts.

Residents living on neighbor islands are often at a disadvantage when attempting to obtain an abortion. There aren't enough licensed physicians, surgeons, or osteopathic physician surgeons available to perform procedures where they live. Either these women must come to Honolulu or continue with an unplanned pregnancy. Senate Bill 1 supports a woman's right to choose by allowing licensed physician assistants or licensed advanced practice registered nurses to terminate a pregnancy. This would greatly increase the number of providers on neighbor islands.

Senate Bill 1 also declares a law of another state if contrary to Hawaii's public policy as being unenforceable in any court in Hawaii. This is an important protection for both providers and those who are seeking to terminate their pregnancies who live outside of Hawaii.

I sincerely hope your committees will pass SB 1 and help women in need.

Mahalo,
Mary Steiner

SB-1

Submitted on: 1/30/2023 3:24:59 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
MELYNDA DANT	Individual	Support	Written Testimony Only

Comments:

Honorable Senators,

Please pass this bill for the sake of women's health and the safety of doctors and those aiding women needing this medical treatment. Please vote yes. This has been our right since 1973, it is horrible women have to fear not having the right to a safe abortion now due to the Supreme Court's recent vote. We deserve to have safe medical treatment for this procedure.

Mahalo for your time,

Melynda Dant

SB-1

Submitted on: 1/30/2023 8:10:44 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Valerie Wayne	Individual	Support	Written Testimony Only

Comments:

I strongly support SB1, which authorizes licensed physicians to perform abortions in our state. It is especially important to ensure that residents on Hawaii's outer islands receive adequate abortion care by authorizing doctors there to provide abortion services. All citizens of our state deserve this important form of health care.

SB-1

Submitted on: 1/30/2023 9:51:49 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Chrystie Fujimoto	Individual	Support	Written Testimony Only

Comments:

I am a practicing OB/GYN in Hawaii for the past 13 years. Timely and competent access to abortion care is critical to the health and wellbeing of the women in Hawaii and across the nation.

SB 1 provides needed protections from other states who seek to penalize abortion care provided in Hawaii - despite these services being legal here.

As a specialist in early pregnancy imaging, I have seen first hand how often tourists arrive to our islands for their "babymoon" with early pregnancy complications - including miscarriages with life threatening bleeding that require surgical termination. As a physician our focus during these cases should only be the health of the patient in front of us, not the legal implications of providing her lifesaving care because of the state she resides in.

I support SB 1 but feel the provider protections in SB 896 are more detailed and comprehensive, therefore, I ask that SB 1 be amended to include the provider protection language of SB 896.

Sincerely,

Chrystie Fujimoto, MD

SB-1

Submitted on: 1/30/2023 3:35:20 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Sandra Fujita	Individual	Support	Written Testimony Only

Comments:

I strongly support SB1.

SB-1

Submitted on: 1/30/2023 8:05:41 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Cory Harden	Individual	Support	Written Testimony Only

Comments:

Aloha legislators,

If abortion is restricted and/or criminalized, women will be harmed, and killed, by illegal abortions, and by restrictions on ending dangerous pregnancies.

mahalo, Cory Harden

SB-1

Submitted on: 1/31/2023 8:07:11 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Avery Olson	Individual	Support	Written Testimony Only

Comments:

Aloha all,

I am an OB/GYN in training on Oahu, Hawaii. I know you have already heard from many of us healthcare providers, but we are in a privileged place as we know firsthand the importance of access to abortion care in promoting the wellbeing of Hawaii's families. Abortion care, put simply, reduces pregnancy-related illness and death.

SB1 protections to prevent legal actions against our healthcare providers, including myself and all of those who work across the islands. Protection of providers means protection of the care we provide for our patients, including those from Hawaii and the mainland.

Lawmakers in conservative states have threatened to introduce bills to penalize abortion care provided in Hawaii. This includes threats of civil law suits, criminal prosecution, and disciplinary action against healthcare providers. This includes action against providers for performing abortion services that are fully legal in Hawaii. This means providers may be afraid to offer the standard of care for fear of legal repercussions.

SB1 reinforces that hostile laws by foreign states are contrary to the public policy and state constitutional right of privacy in Hawaii.

I think of a patient from another state I once took care of who came in with rupture of membranes at early gestation. Her condition was incompatible with life for the fetus, and she was developing a fever. This required an abortion to save the patient from a harmful infection that could be fatal, so she received her abortion on Oahu. She was from a state that now is attempting to pass laws that not only would fine me for giving her an abortion to save her life, but perhaps even prevent me from practicing and providing future care to Hawaiian people.

I urge you to pass SB 1. **Additionally, I feel the provider protections in SB 896 are more detailed and comprehensive, therefore, I ask that SB 1 be amended to include the provider protection language of SB 896.**

Thank you for your consideration,

Dr. Avery

It was supposed to be a normal visit.

I was supposed to hear my rainbow baby's' heartbeat. I pulled out my phone to record the moment, I had family and friends eagerly awaiting updates. The nurse told me to put it away.

She rubbed the wand over my belly once more.

"You had a miscarriage" she coldly said.

Impossible.

I'd been through them before. This time there was no blood. No pain.

She had to be wrong.

I was escorted to the next room where the doctor explained my baby had stopped growing.

For four weeks I had carried around a dead fetus.

I had hopes and desires and dreams for something that was already gone.

The doctor gave me my options: go under anesthesia and have it removed (known as a DNC) or take a pill and have my body expel it. I chose the latter.

For years my story ended with the nurses' words. Nothing mattered after that.

Then Roe fell.

I began reading about how women in Texas that miscarried were denied Misoprostol, also known as the abortion pill, because providers couldn't risk being charged with aiding and abetting.

The same drug I took.

For years my memory froze on the word "miscarriage" but I had missed a crucial part of my story: I had had an abortion.

Years prior I stood in my kitchen, said goodbye to my baby and swallowed the pills.

Just as a rape victim has.

Just as unprepared teenager has.

Just as millions of other women have.

Though we each had a different story as to how we ended up there we all now had the same path to follow.

Yet there was a difference: Stigma.

I heard it each time I told my story. "You didn't have an abortion; you wanted your baby." "Your baby was already gone, theirs wasn't." Even if they didn't agree there was always a softness, a sympathy in their response. A tone that other women often don't get.

"You had a DNC not an abortion."

A DNC. Pills to flush the fetus out. An abortion. All different words for the same procedure.

A lifesaving procedure that now isn't being taught to doctors because of legal risk.

Pills that are no longer given out because of fear of prosecution.

As I sat in the doctor's office that day even though I was heartbroken I felt safe. The doctor had a plan. I was given the opportunity to choose what was best for me. I had someone I trusted to guide me

through this unprecedented time in my life.

Now all parties enter that room with no options or guidance, except from state governments.

Potentially federal government if Republicans get their way.

I went years thinking I had a miscarriage followed by a medical procedure because that's how doctors presented it to me. And that's the core of abortion: it's a medical procedure. One not to be shamed or silenced. Miscarriage affects 1 in 10 women. Rape: 1 in 5.

Unplanned Pregnancy: 1 out of every 2

The number of women that have an abortion? 1 in 4.

My story isn't powerful because it's unique, its powerful because it's common. I could be your teacher; I could be your daughter.

I could be you.

We can't let the minority with the loud voices win. We can't let them make our decisions for us and we won't let them take our human right to healthcare. We will be louder, we will prevail.

SB-1

Submitted on: 1/30/2023 8:52:10 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Steve Glanstein	Individual	Support	Written Testimony Only

Comments:

This is some of my shortest testimony in years: Imua Hawaii!

SB-1

Submitted on: 1/30/2023 9:07:57 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Rozlyn Calderon	Individual	Support	Written Testimony Only

Comments:

Chair San Buenaventura, Vice Chair Aquino and Members of the Committee,

I write in strong support of SB1. We must protect abortion providers, abortion patients and anyone that helps pregnant people access this essential health care.

Rozlyn Claderon

SB-1

Submitted on: 1/30/2023 8:41:28 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Gabrielle Toloza	Individual	Support	Written Testimony Only

Comments:

As a woman, mother and psychologist I urge you to support SB1 with suggested amendments below.

We have many freedoms as a women and they fought for us to have them back in 1970 as the first state to legalize abortion and now is not a time to move backward. Providers of healthcare in the OB/GYN feild deserve the freedom to exercise their clincial judgment and make case bay case decisions in the best interests of their patients without oversight of political games. Having been a therapist to a handful of OB/GYN physicians I am in awe of the very challenging they have chosen to do and that they do it with grace, wisdom and compassion for both the mother and their family. Please uphold our freedoms by supporting this bill. - Warmly Dr. Gabrielle Toloza

SUPPORT SB1's authorization of licensed physician assistants to provide abortion care.

- This will help address our shortage of abortion providers, particularly on neighbor islands, to assure better access and prompt medical service.
- This will help save neighbor island residents from having to fly to Honolulu for abortion care, with attendant travel costs, time off from work and child-care arrangements.
- Physician assistants already provide a wide range of medical care much more complex than abortion, and should be permitted to provide abortion care, just as Advanced Practice Registered Nurses already do.

REQUEST AMENDMENTS TO SB1:

- We need better protections for our abortion providers and patients so they are not punished by legal actions in other states, such as Texas, who seek to impose their punitive abortion bans on abortion care legally provided in Hawaii. SB1's shield provisions should be amended to incorporate the more detailed protections in SB896.

February 1, 2023

To: Senate Health & Human Services Committee and Commerce & Consumer Protection Committees
From: Lori Kamemoto, MD, MPH, FACOG
Re: SB 1 – Relating to Health Care
Position: Strongly Support

As an Obstetrician/Gynecologist who has practiced in Hawaii for 30-plus years - I have firsthand knowledge of the importance of access to abortion care in promoting the health and wellbeing of Hawaii's women and families, as well as in reducing pregnancy-related illness and death.

SB1 provides critical and timely protections to prevent legal actions against Hawaii's healthcare providers and patients from other states that seek to impose their punitive abortion laws on abortion care legally provided in Hawaii.

Lawmakers in other states have threatened to introduce bills to penalize abortion care provided in Hawaii via threats of civil lawsuits, criminal prosecution, and disciplinary action against healthcare providers for performing lawful abortion services in Hawaii. Lawmakers in these states have even threatened patients who may travel to other states such as Hawaii and have care provided there, with criminal prosecution.

SB1 reinforces that such laws by other states are contrary to Hawaii's public policy and the state constitutional right of privacy in Hawaii.

Access to abortion care is a part of Women's Healthcare excellence. I have cared for pregnant tourists who travel to Hawaii as well as many pregnant Hawaii residents who unfortunately have serious and sometimes life-threatening pregnancy complications such as very early rupture of membranes leading to chorioamnionitis and life-threatening sepsis, patients near death with life-threatening bleeding, those who were desperate to have an abortion but could not afford it and tried to accomplish this outside our medical system resulting in life-threatening injury/infection, and many other serious pregnancy complications requiring immediate intervention to save lives.

I am grateful that we have been able to appropriately care for the many pregnancy complications that can arise to save lives and prevent permanent injury - however I am very concerned that other states may now hamper Hawaii's ability to continue to provide complete and excellent Women's Healthcare which includes access to abortion care.

I strongly urge you to pass SB1.
Mahalo for supporting the health of Hawaii's Women and Families.

SB-1

Submitted on: 1/31/2023 12:37:44 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Edith Neumiller	Individual	Support	Written Testimony Only

Comments:

I am in support of SB1

SB-1

Submitted on: 1/31/2023 12:25:17 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Renee Rabb	Individual	Support	Written Testimony Only

Comments:

SB1

I strongly support the passage of SB1. I think that allowing physician assistants to perform abortion is a needed step in allowing low-cost reproductive health services. Even more importantly, providing residents of Hawaii with legal protections from the draconian measures passed by other states is critically important for women's reproductive health. I have lived in Texas, and it is important to women all over the country that Hawaii remain a safe haven for women's health care.

Please pass SB1 on behalf of all women.

Renee Rabb

Keaau, HI 96749

District 4, Precinct 2

SB-1

Submitted on: 1/31/2023 12:36:26 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Libby Kelson-Fulcher	Individual	Support	Written Testimony Only

Comments:

Aloha,

This is such an import Bill and such an important issue. Not passing this bill is an erosion of our human rights. I am sitting watching how bit by bit individual, humane and human rights are being suberted and taken away. It's the perfect Autocratic playbook and is not new. It amazes me to no end that it is not blindingly obvious to everyone.

With regards to SB1 it is essential that patients and physicans, caregivers are protected while women enjoy their full rights to make decisions regarding their bodies and their lives including abortion without fear of retribution.. It is nobody else's business or understanding.

Please pass SB1. I am also supporting SB896.

Mahalo nui!

SB-1

Submitted on: 1/31/2023 11:30:35 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Nancy Yang	Individual	Support	Written Testimony Only

Comments:

I am an OB/GYN in training on Oahu, Hawaii, and I know firsthand that access to abortion care is essential not only to promote the wellbeing of families in Hawai'i, but also to reduce pregnancy related illness and death.

SB1 provides critical and timely protections for healthcare providers and patients in Hawaii, from punitive laws in other states. Lawmakers in conservative states have threatened to impose their laws on health providers that legally perform abortion care in Hawai'i. I think of a patient I took care of who was traveling from out of state, and was diagnosed with an ectopic pregnancy while on Oahu, who needed emergency surgery due to lifethreatening bleeding despite that it was a pregnancy she very much wanted. I've taken care of many other patients who have had complications that made their pregnancies difficult to continue. Now in conservative states, the procedures and medical treatments that are standard of care for managing pregnancy complications *and* fully legal in Hawai'i may be considered illegal, and punishable by law. This has created an environment of fear where health providers in those states are unwilling to provide standard of care for their patients, who then suffer and have lifethreatening complications.

As an OBGYN in training, I do not want to provide substandard care to my patients. The abortion protections in Hawai'i is one of the reasons I chose to train here, and why I hope to continue to practice here. But more must be done to ensure the hostile law of other states do not affect the quality of reproductive care we provide in Hawai'i. SB1 reinforces that such hostile laws by other states are contrary to the public policy and state constitutional right of privacy in Hawaii, and I urge you to pass SB 1. Additionally, I feel the provider protections in SB 896 are more detailed and comprehensive, therefore, I ask that SB 1 be amended to include the provider protection language of SB 896

SB-1

Submitted on: 1/31/2023 12:19:26 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Jenny Silbiger	Individual	Support	Written Testimony Only

Comments:

RE: SB 1: SUPPORT AND REQUEST AMENDMENTS

To Whom It May Concern:

SUPPORT SB1's authorization of licensed physician assistants to provide abortion care.

- This will help address our shortage of abortion providers, particularly on neighbor islands, to assure better access and prompt medical service.
- This will help save neighbor island residents from having to fly to Honolulu for abortion care, with attendant travel costs, time off from work and child-care arrangements.
- Physician assistants already provide a wide range of medical care much more complex than abortion, and should be permitted to provide abortion care, just as Advanced Practice Registered Nurses already do.

REQUEST AMENDMENTS TO SB1:

- We need better protections for our abortion providers and patients so they are not punished by legal actions in other states, such as Texas, who seek to impose their punitive abortion bans on abortion care legally provided in Hawaii. SB1's shield provisions should be amended to incorporate the more detailed protections in SB896.

Thank you for your consideration of my testimony.

Sincerely,

Jenny Silbiger

SB-1

Submitted on: 1/31/2023 11:29:03 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Dale A. Head	Individual	Support	Written Testimony Only

Comments:

Aloha:

I strongly support this Bill as it respects women and their reproductive rights, and, right to privacy and protection from harassment.

Dale A. Head Dale.head@aol.com

SB-1

Submitted on: 1/31/2023 11:15:30 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Sharon R Keith	Individual	Support	Written Testimony Only

Comments:

- This will help address our shortage of abortion providers, particularly on neighbor islands, to assure better access and prompt medical service.
- This will help save neighbor island residents from having to fly to Honolulu for abortion care, with attendant travel costs, time off from work and child-care arrangements.
- Physician assistants already provide a wide range of medical care much more complex than abortion, and should be permitted to provide abortion care, just as Advanced Practice Registered Nurses already do.

REQUEST AMENDMENTS TO SB1:

- We need better protections for our abortion providers and patients so they are not punished by legal actions in other states, such as Texas, who seek to impose their punitive abortion bans on abortion care legally provided in Hawaii. SB1's shield provisions should be amended to incorporate the more detailed protections in SB896.

SB-1

Submitted on: 1/31/2023 10:24:40 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Lillian Ah Nee	Individual	Support	Written Testimony Only

Comments:

Aloha,

I'm writing in strong support of SB1 (and SB896), which expand access to necessary reproductive healthcare and protects providers and patients from prosecution by this or any other government.

Abortion is a decision that should be made between a woman (pregnant person) and her healthcare team and should be made based on the best interest of the woman. Healthcare decisions like abortion should not be influenced by fear of prosecution of the provider or patient. I am in full support of SB1's protection of providers and patients.

I am also very concerned about the lack of reproductive healthcare available on Hawaii island and other neighbor islands. SB1's expansion of providers that can offer abortion services would be a huge step toward true reproductive freedom for Hawaii's women.

Thank you for your time and consideration.

LATE

January 31, 2023

To: Senate Health & Human Services Committee and Commerce & Consumer Protection Committees

From: LeighAnn Frattarelli, MD, MPH, FACOG

Re: SB 1– Relating to Reproductive Health Care

Position: Strongly Support

As a gynecologist living and practicing in Hawaii since 2000, I am proud of our state's strong protection of health care for women. I am proud that the right to abortion is protected in our state's constitution, and I am proud that our community is always working to provide easier access to this important part of health care to our residents. Access to abortion care is imperative in the promotion of health and wellbeing in Hawaii.

Many other state governments that do not hold our same values desire to impose their laws upon our providers and visitors that come to our state needing health care, either by plan or by missed timing of their visit to our islands. SB 1 provides critical and timely protections to prevent legal actions against Hawaii's healthcare providers and patients from other states who receive abortion care legally in Hawaii. Threats of civil lawsuits and criminal prosecution for actions lawfully provided in our state cannot limit the care of physicians seeking to provide needed abortion care. SB 1 reinforces that such laws by other states are contrary to Hawaii's public policy and the state constitutional right of privacy in Hawaii.

Please support Hawaii's healthcare workers who desire to provide comprehensive healthcare to all women no matter the length of stay in our islands. Please support the women who need abortion care for their health and the health of their family. I strongly urge you to pass SB 1.

Thank you for believing in Hawaii and the work we are doing here to support women and their families.

LATE

SB-1

Submitted on: 1/31/2023 5:56:31 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Felicia Sendrey	Individual	Support	Written Testimony Only

Comments:

To: Senator Joy A. San Buenaventura, Chair

Senator Henry J.C. Aquino, Vice Chair

Senator Jarrett Keohokalole, Chair

Senator Carol Fukunaga, Vice Chair

From: Felicia J. Sendrey

Subject: Support of Senate Bill 1, Relating to Health Care

Aloha! My name is Felicia Sendrey, and I am currently a sophomore at Kalaheo High School. I would like to speak in support of SB1, relating to Health Care. This bill states that physicians performing an abortion as well as the person who terminated their pregnancy is protected under the law whether they are from the state of Hawaii or another.

After the overturning of Roe v. Wade studies have proven that 24% of pregnancies are fatal for women. A statistic found on the CDC website states that there are 700 women who die from pregnancy every year in the United States. According to the site, those 3 out of 5 fatal pregnancies could be prevented by having an abortion. To ensure the safety of all women I ask you to vote in favor of this bill.

Thank you for taking the time out of your day to read this. I hope you consider supporting Senate Bill 1.

LATE

SB-1

Submitted on: 1/31/2023 1:11:24 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Louise Ing	Individual	Support	Written Testimony Only

Comments:

As a strong supporter and longtime advocate of a woman's right to choose, I strongly support SB1. We need to strengthen the access to quality care in Hawai`i for women seeking to exercise their rights of privacy and choice and to protect brave providers who render such services.

SB-1

Submitted on: 1/31/2023 9:59:10 PM
Testimony for HHS on 2/1/2023 1:10:00 PM

LATE

Submitted By	Organization	Testifier Position	Testify
Debbie Shimizu	Individual	Support	Written Testimony Only

Comments:

Chair San Buenaventura, Chair Keohokalole, Vice Chair Aquino, Vice Chair Fukunaga and members of the committees on Health and Commerce and Consumer Protection. I am Debbie Shimizu testifying as a member of the Patsy T. Mink PAC and the Hawaii State Democratic Women's Caucus in **strong support** of SB1 relating to Health Care.

SB1 authorizes licensed physican assistants to provide abortion care. This is critically important for neighbor island residents. It will save them from having to fly to Honolulu for abortion care as well as with travel costs, time off from work and child care arrangements. Physician assistants already provide a wide range of medical care and should be permitted to provide abortion care similar to APRNs. SB1 addresses the shortage of abortion providers and assures better access and prompt medical service.

Thank you for the opportunity to testify in **strong support** of SB1.

January 31st, 2023

To: Representative Joy A. San Buenaventura, Chair of the Health and Human Service Committee
Representative Henry J.C. Aquino, Vice Chair of the Health and Human Service Committee
Representative Jarrett Keohokalole, Chair of the Commerce and Consumer Protection Committee
Representative Carol Fukunaga, Vice Chair of the Commerce and Consumer Protection Committee

From: Mackenzie Brammer

LATE

Subject: Support of Senate Bill 1, Relating to Health Care

Aloha! My name is Mackenzie Brammer and I am a sophomore at Kalaheo High School. I strongly support SB No. 1, relating to health care. This bill authorizes physicians to perform abortions and also allows patients to get them. It also declares a law of another state that authorizes a person to bring civil action against a person who receives an abortion, performs an abortion, or knowingly aids an abortion as contrary to the public policy of this state.

As a teenage girl, Roe V. Wade being overturned affected many people around me. Many of my peers and adult mentors were disappointed and very anxious about the uncertainty in the future. The overturn of Roe V. Wade is a substantial step back into the past, and it is clear that the health consequences of this event are without end. Being turned away from access to an abortion increases the risk of medical problems and even death. According to The Center for American Progress, if the entire United States prohibited abortions there would be a 24% increase in maternal deaths. This percentage is unnecessarily high and proves the danger that comes along with a lack of abortion healthcare.

This bill helps to prevent these fatalities by making Hawaii a safe place for anyone seeking or providing legal abortions. It makes it clear that abortions are allowed in the state and that people will not get in trouble for getting one or providing one. According to the United States Census, 49.7% of Hawaii's population is female. The overturn of Roe V. Wade affects every female in this country, as it removes one of their human rights. By passing this bill, our state can continue to protect each and every woman that lives here.

I firmly believe that the importance of this bill is unignorable. It's extremely important to me and many of the people around me that this bill be strongly considered. I ask for your support in Senate Bill No. 1 as these changes are very necessary.

Thank you for your time and consideration.

LATE

SB-1

Submitted on: 1/31/2023 1:58:02 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Makayla D Dilliner	Individual	Oppose	In Person

Comments:

Makayla Dilliner- SB1- Testimony

Dear Health and Human Services, Commerce and Consumer Protection and Judiciary Committees, my name is Makayla Dilliner. I am in the 11th grade and am testifying in opposition to SB1. As an adoptee and former foster child, I believe that SB1 will prevent those in the womb from having the same chance I did: the chance to be born. Despite the many obstacles and difficulties my birth mother faced. From this, I understand that this life is not easy and that not every woman is ready to take on the title of mother and the responsibility for another person. We must find actual solutions to these problems and resources for women. Ones that do not entail taking the life of their offspring in the womb.

I am sure that all of us can agree that life is valuable and must be protected. Where there is life, there is value. However, some may disagree on when it begins. Well when does life begin? Birth? The first breath? When the ZEF, zygote/embryo/fetus, is able to meet a certain capability, such as pain or memory or consciousness? Or when the woman so chooses? We cannot reconcile the standardization of life based on our own arbitrary definitions. It is a flawed view because there are born people who do not have the capability to feel pain. There are born people who are incapable of consciousness. Memory too. You may have heard many pro lifers reiterate that life begins at conception but how is this so? If life did not begin from this stage there would be no embryo, there would be no fetus, and there certainly would be no born baby because all of their lives began at a fundamental stage which many choose to ignore. The science of genetics proves that human life starts at conception because it is the stage when a new and separate entity—a human being—is created with its own genetic code. A cell is the basic unit of life and because of this, any organism with its personal cellular structure, such as the ZEF, is alive (Biologists' Consensus on When Life Begins).

SB1 fails to explicitly define what it means to be viable and because of this, the bill can be easily abused and left to a case-by-case interpretation. A viable pregnancy is defined by the National Library of Medicine as “having reached such a stage of development as to be capable of living, under normal conditions, outside the uterus”. Why is viability to be considered the pivotal point in this bill’s abortion regulation? Are the conditions we live

under the determining factor in our value? If there is an acknowledged point in a pregnancy during which a child cannot survive outside of the uterus, then why are we not focusing on where the child can survive? It is illogical to take someone out of the environment they are thriving in, and then claim “they are not viable”. This can be compared to removing a fish from water, the fish dying then saying the fish was not a viable organism. The same thing is what you are seeking to allow for those in the womb.

I could go into much more detail and give many more reasons as to why abortion is an unethical choice. But I understand that would take up too much of your time. Despite what many may believe, this is not a matter that pertains merely to a dichotomy between secular or religious discussion. It is a moral and objective matter. There must be more resources and solutions in our community for women who are seeking abortion. Thank you all for your time and attention.

Sources

<https://pubmed.ncbi.nlm.nih.gov/11753511/#:~:text=According%20to%20Websters%20Encyclopedic%20Unabridged,normal%20conditions%2C%20outside%20the%20uterus.>

<https://papers.ssrn.com/sol3/papers>

LATE

SB-1

Submitted on: 1/31/2023 1:25:07 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Lisa Shorba	Individual	Oppose	In Person

Comments:

Please do not pass this measure. Life is sacred to us here in Hawaii, and we show aloha and loving care to all people...which extends to the pre-born members of our state. Please do not expand abortions to be performed by physician assistants. There is a decrease in the number of doctors choosing to perform abortions for a reason. It is not something a doctor wants to do, since they face the stark reality that the life/lives of perfectly healthy children are being destroyed at their own hands. Abortion contradicts the work that doctors aim to do... abortion is offensive to the nature of the healthcare profession whose mission is to do no harm. Abortion harms the women who experience the pain caused by abortion.. the pain is real... it is physical, emotional, psychological, and spiritual. There is much research on this subject; and post-abortive women and men both suffer after abortion. Let's decrease the pain and suffering caused by abortion by not passing this measure...and let SB1 die in committee.

Mahalo for hearing my testimony.

Sincerely,

Lisa Shorba

Resident of Honolulu

JAMES HOCHBERG

ATTORNEY AT LAW, LLLC

January 28, 2023

TESTIMONY STRONGLY OPPOSING SB 1
and limitations on citizen participation in this hearing

Senate Committee On Health and Human Services

Senator Joy A. San Buenaventura, Chair

Senator Henry J.C. Aquino, Vice Chair

Senate Committee on Commerce and Consumer Protection

Senator Jarrett Keohokalole, Chair

Senator Carol Fukunaga, Vice Chair

Hearing: SB1: Wednesday, February 1, 2023 at 1:10 pm Conf. Rm. 225

Dear Chairs, Vice Chairs and Committee Members,

My name is Jim Hochberg and I am a civil rights attorney seeking to protect the Constitutional Rights of the people of Hawaii in the federal and state courts in Hawaii. I have practiced law in Hawaii since 1984 (39 years). I submit this testimony in opposition to SB1 which unnecessarily and unwisely seeks to negatively impact the safety of abortion services by reducing the qualifications required by state law for the facility and the person who performs the abortion. I also include in this testimony, my opposition to the organization of the Senate that permits limiting my opportunity to explain fully to you in this oral testimony my position on SB1.

1. Limiting Time for Testimony

The notice of this hearing included a warning that the Chairs of the committees conducting this hearing may limit the number or people being permitted to testify or limit the time allotted to each testifier. That warning informs us that your self-declared hearing schedule is more critical to you than an attempt to accommodate everyone who requested to testify orally. In fact, the hearing notice clarified that today I will have only 2 minutes to testify today.

Running that warning through my legal training as a licensed attorney tells me that your

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Email: Jim@JamesHochbergLaw.com

**JAMES HOCHBERG
ATTORNEY AT LAW, LLLC**

Senate Committee On Health and Human Services

Senator Joy A. San Buenaventura, Chair

Senator Henry J.C. Aquino, Vice Chair

Senate Committee on Commerce and Consumer Protection

Senator Jarrett Keohokalole, Chair

Senator Carol Fukunaga, Vice Chair

January 28, 2023

Page 2

committees value your committee hearing schedule above my constitutional rights. Three of the first four Sections of Article I of the Hawaii Constitution come to mind. Those provisions read:

ARTICLE I, BILL OF RIGHTS,

POLITICAL POWER, Section 1. All political power of this State is inherent in the people and the responsibility for the exercise thereof rests with the people. All government is founded on this authority.

RIGHTS OF INDIVIDUALS, Section 2. All persons are free by nature and are equal in their inherent and inalienable rights. Among these rights are the enjoyment of life, liberty and the pursuit of happiness, and the acquiring and possessing of property. These rights cannot endure unless the people recognize their corresponding obligations and responsibilities. . . .

FREEDOM OF RELIGION, SPEECH, PRESS, ASSEMBLY AND PETITION, Section 4. No law shall be enacted respecting an establishment of religion, or prohibiting the free exercise thereof, or abridging the freedom of speech or of the press or the right of the people peaceably to assemble and to petition the government for a redress of grievances.”

Consequently, my constitutional rights take second fiddle to adhering to your committee hearing schedule. Let me make a suggestion in this regard. Since you propose the changes in SB1, you are responsible for the level of community participation. If you want to exalt your committee hearing schedule above our supreme political power, you should consider whether hearing a controversial bill like SB1 will eat away the time in your committee hearing schedule that would otherwise be available for non-controversial bills that would generate less community interest and input.

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**JAMES HOCHBERG
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Senate Committee On Health and Human Services

Senator Joy A. San Buenaventura, Chair

Senator Henry J.C. Aquino, Vice Chair

Senate Committee on Commerce and Consumer Protection

Senator Jarrett Keohokalole, Chair

Senator Carol Fukunaga, Vice Chair

January 28, 2023

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2. Text of SB1

Current law requires that all abortions be performed in a hospital licensed by the department of health or operated by the federal government or an agency thereof or in a clinic or physician's office. Those requirements are being deleted by the law leaving no legal or regulatory requirements for the location where an abortion is legally permitted to be performed. That means, any location not currently meeting the standards will be able to host abortions should SB1 pass. I am fairly certain the Hawaii legislature does not intend to return to the back-alley abortion business we heard so much about in years past.

Current law also requires that abortions only be performed by licensed physicians or advanced practice registered nurses . SB1 will add non physicians including physician assistants as those legally permitted to perform abortions. These non-physician professions require greatly reduced training or education, and neither have hospital privileges as do physicians. By way of comparison, those who legally practice veterinary medicine in Hawaii are permitted to provide medical, surgical, and dental care of animals. In order obtain the license to perform surgical care on animals in Hawaii, a veterinarian must graduate from a veterinary college meeting all the standards established by the American Veterinary Medical Association Council on Education, or, in lieu thereof, actively practice for ten out of twelve years immediately preceding the date of application in a state having standards for licensing comparable to those in this State.

The rest of SB1 is apparently an attempt to set Hawaii apart from other states in our union that have legislated restrictions on abortion following the Dobbs decision of the Supreme Court of the United States. Those other states have created situations where an abortion provider can end up with a damages judgement against him or her for the services provided in performing the abortion. SB1 states that the judgment will not be enforceable in Hawaii. However, Section 1 of Article IV to the United States Constitution includes the "Full Faith and Credit" clause which states: "Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial

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**JAMES HOCHBERG
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Senate Committee On Health and Human Services

Senator Joy A. San Buenaventura, Chair

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Senate Committee on Commerce and Consumer Protection

Senator Jarrett Keohokalole, Chair

Senator Carol Fukunaga, Vice Chair

January 28, 2023

Page 4

proceedings of every other State.” Section 2 of that Article provides that “The Citizens of each State shall be entitled to the Privileges and Immunities of Citizens in the several states.” SB1 appears to raise constitutionality provisions, which will be resolved through lengthy and expensive court proceedings where this legislature can better spend those funds actually helping the citizens of this state rather than setting up fights with citizens of other states.

Furthermore, the provisions of SB1 appear to indemnify abortion providers in Hawaii from liability for claims from persons injured from abortions performed in Hawaii in violation of the laws of the victim’s home state. SB1 also protects abortion providers in Hawaii from having to respond to subpoenas from other states.

The big question on protecting abortion providers is why do that when SB1 is designed to negatively impact the safety of abortion services in Hawaii. It seems counter-intuitive to both make it riskier to get an abortion in Hawaii in one breath and in the next, protect these more risky abortion providers from liability for their work. It does remind me of the deal received by the covid vaccine providers.

I am opposed to SB1 because it is both unnecessary and unwise. Returning to back-alley, coat-hanger abortions is bad enough, but protecting abortionists from liability is a whole other thing. For these reasons I am opposed to SB1 and urge your committee to exercise prudent judgment to defer action on this bill and any others like it. If you have any questions please feel free to call me.

Sincerely,

/s/ JAMES HOCHBERG

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SB-1

Submitted on: 1/27/2023 10:15:15 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Terri Yoshinaga	Individual	Oppose	Written Testimony Only

Comments:

First of all, abortion is murder! To all who support abortion, you are contributing to the murder of an unborn fetus. Anyone who murders a fetus, should face trial and be sentenced to prison like anyone else who commits murder. Hawaii laws are already unrighteous in God's eyes. Why are you trying to add more to our already lenient laws for abortion? Please realize that someday everyone will be held accountable for their actions. Our Lord and Savior is a loving, just, fair, judge, and please consider if what you are doing is the right thing. There are consequences to our poor choices, do the right thing. There are so many more issues we have that are more compelling than this, why aren't you paying more attention to those issues and proposing laws that would help the greater good of the people of Hawaii? I beg you to not pass this bill, let's move on to more pressing issues.

SB-1

Submitted on: 1/26/2023 4:25:00 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

This is a Communist Tactic and will not be allowed. end this NOW Last Chance!!!!

SB-1

Submitted on: 1/27/2023 2:39:34 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Vivien Wong	Individual	Oppose	Written Testimony Only

Comments:

Please oppose SB 1 which propose expansion of health professionals (physician assistants) who can perform surgical abortion. During last legislative session, licensed advanced practice registered nurses are allowed to perform surgical abortion. As a licensed physician, I viewed that any obstetrics and gynecologic surgical procedures including abortions should only be performed by licensed OB physicians. These physicians have the training and experience to be able to recognize and treat complications from these surgical procedures. **We want safe delivery of healthcare for our state.** Medically, elective abortion is an unnecessary surgical procedure performed on a woman who otherwise has a **healthy** pregnancy . Why do we want to put our healthy women of this state at risk of unnecessary lifetime debilitation from complications resulting from inexperienced healthcare professionals?

Please oppose SB 1. Thank you for your consideration.

SB-1

Submitted on: 1/27/2023 3:42:10 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Victor K. Ramos	Individual	Oppose	Written Testimony Only

Comments:

Why would someone fly out of their home state to Hawaii to get an abortaion if it truly was a matter of life or death?

I would not want to see people flying to Hawaii just to get an abortion. I say, "no thanks" to this kind of tourism.

SB-1

Submitted on: 1/29/2023 2:45:01 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Cindy R Ajimine	Individual	Oppose	Written Testimony Only

Comments:

Request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/29/2023 3:48:13 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Rochelle Tamme	Individual	Oppose	Written Testimony Only

Comments:

Request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/29/2023 4:23:18 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Carol R. White	Individual	Oppose	Written Testimony Only

Comments:

I oppose the inclusion of physician assistants and advanced practice RNs as individuals allowed to do abortions. How much training can they do to ensure that they do not harm women by such an invasive procedure of the woman's uterus? Physicians have perforated internal organs or failed to scrape out all the baby's body resulting in life-threatening infections. And they supposedly will be trained to perform such a delicate procedure? How much training will be required?

Are HMOs, abortion clinics, or doctor's offices, etc. willing to accept the risks of allowing a physician assistant or RN to attempt such a procedure - and will they take responsibility for lawsuits resulting from injuries from the abortion? We know that there have been such occurrences on the mainland where women have died from loss of blood or infection even when a physician does it in the first trimester.

is our legislature willing to place pregnant women at risk just for the sake of purporting that they are supporting women?

Please use common sense and eliminate this portion of SB1.

Aloha Hawai'i Senators,

I am writing as a concerned Hawai'i resident and U.S. citizen to **request that you OPPOSE SB1** for the safety of patients and protection of clinicians.

Here are my reasons/concerns for opposing SB1:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawai'i from civil action is contrary to the Constitution.

Mahalo for reading my testimony and I hope and pray that you OPPOSE SB1.

Sincerely,
Chris Caoagdan

Aloha Hawai'i Senators,

I am writing as a concerned Hawai'i resident and U.S. citizen to **request that you OPPOSE SB1** for the safety of patients and protection of clinicians.

Here are my reasons/concerns for opposing SB1:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawai'i from civil action is contrary to the Constitution.

Mahalo for reading my testimony and I hope and pray that you OPPOSE SB1.

Sincerely,
Conrad Caoagdan

Aloha Hawai'i Senators,

I am writing as a concerned Hawai'i resident and U.S. citizen to **request that you OPPOSE SB1** for the safety of patients and protection of clinicians.

Here are my reasons/concerns for opposing SB1:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawai'i from civil action is contrary to the Constitution.

Mahalo for reading my testimony and I hope and pray that you OPPOSE SB1.

Sincerely,
Leonora Caoagdan

SB-1

Submitted on: 1/29/2023 5:56:49 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Daniel Pederson	Individual	Oppose	Written Testimony Only

Comments:

Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.

There is no definition of "certain" abortions. Please clarify this as unspecified language in bills can lead to stretching of the meaning of the bill in the future.

SB-1

Submitted on: 1/29/2023 6:11:07 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Jeremiah Santos	Individual	Oppose	Written Testimony Only

Comments:

Request to Oppose SB 1 Relating to Health Care

My concerns include

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training is not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/29/2023 6:14:46 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Shery Ann Wright	Individual	Oppose	Written Testimony Only

Comments:

Request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/29/2023 7:19:45 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Ryan Shields	Individual	Oppose	Written Testimony Only

Comments:

Request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/29/2023 7:21:51 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Catherine Collado	Individual	Oppose	Written Testimony Only

Comments:

01/29/23I am in opposition of SB1 for the following reasons:

1. Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. This opens up an opportunity for medical litigation.
2. There is no definition for "certain" abortions.
3. Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
4. Language to remove Hawaii from civil action is contrary to the Constitution.

I humbly ask you to reconsider the consequences of this bill, as it opens opportunities that harm women, and opens litigation re: medical professionals and their facilities. We as a community are stretched in the use of the medical personnel we have as is, and their case loads. The additional stresses and demands over our medical professionals should be considered as a consequence of this bill. Please oppose SB1.

Thank you,

Catherine Collado

TO: SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES and
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

RE: SB1 RELATING TO HEALTH CARE.

Authorizes licensed physician assistants to perform certain abortions. Declares a law of another state that authorizes a person to bring a civil action against a person who: terminates or seeks to terminate a pregnancy; performs or induces the termination of a pregnancy; knowingly engages in conduct that aids or abets the performance or inducement of the termination of a pregnancy; or attempts or intends to engage in the conduct, as contrary to the public policy of this State and shall not be enforceable in any court of the State and shall not afford any basis for the granting of legal or equitable relief by any court of the State. Prohibits the State from engaging in certain actions with regard to civil and criminal actions from another state.

And

SB896 RELATING TO REPRODUCTIVE HEALTH CARE.

Prohibits a covered entity from disclosing communication or information relating to reproductive health care services. Prohibits the issuance of a subpoena in connection with an out-of-state proceeding relating to reproductive health care services legally performed in the State. Prohibits agencies from providing information or expending resources in the furtherance of interstate investigations or proceedings relating to reproductive health care services. Prohibits the State from penalizing, prosecuting, or otherwise taking adverse action based on pregnancy outcomes or aiding or assisting a pregnant individual with accessing reproductive health care services. Requires the governor to deny any demand for surrender of a person charged with a crime involving reproductive health care services unless the conduct constitutes a crime in the State. Enumerates laws contrary to public policy and prohibits their application as rules of decision in the courts. Prohibits the issuance of a summons for persons to testify in another state with regard to lawful reproductive health care services. Clarifies under various licensing statutes that the provision or assistance in receipt or provision of medical, surgical,

pharmaceutical, counseling, or referral services related to the human reproductive system cannot form a basis for disciplinary action. Prohibits the enforcement of a judgment or order arising from a foreign penal civil action or other penal law with respect to reproductive health care services.

FOR HEARING ON Wednesday February 1, 2023

FROM:

Kenneth R. Conklin, Ph.D.
46-255 Kahuhipa St. Apt. 1205
Kane'ohe, HI, 96744
Tel. 808.247.7942

TESTIMONY IN OPPOSITION

SUMMARY

Regarding abortion: there's a way to reconcile the pro-choice and pro-life positions. Here are two rights which can both be achieved together. (1) A woman has a right to "control her own body" by terminating her pregnancy at any time. (2) An unborn baby has a right to live; therefore mother and her helpers have a duty to use all reasonable methods to protect baby's life and health during the process of terminating the pregnancy. Killing the baby should not be allowed as the method for ending a pregnancy, unless necessary for a woman exercising self-defense against a pregnancy that is killing her. It is both factually incorrect and morally wrong to assume that killing the embryo or fetus is the method that must or should automatically be used for a woman who chooses early termination of her pregnancy.

It is already standard medical care that babies born prematurely are taken to Neonatal Intensive Care Unit where their lives are saved. If mom chooses to end pregnancy, early birth can be induced medically by pill or injection, or surgically by Caesarean section; then use NICU. At earliest stages, use procedures from in vitro fertilization clinics to transfer zygote or embryo from a woman who chooses to end her pregnancy to a woman who is eager

to become pregnant but biologically unable or personally unwilling to do it through sexual intercourse.

There are various methods currently used to kill an embryo or fetus to begin an abortion: pills which can be purchased in pharmacies and used at home or in clinics to kill it quietly and then expel it; dismemberment inside the uterus followed by using suction or forceps to remove the pieces; etc. All such methods are killing with malice aforethought, also known as murder. The person who orders a murder or pays to hire a murderer (the mother) is equally as guilty as the person who actually does the killing (doctor, nurse). A clinic or hospital which knowingly allows its facilities to be used for murder is an accomplice in the crime.

Should the State of Hawaii have a law which renders unenforceable the laws of other states which prohibit abortions, and/or demand extradition of women and/or their helpers who order or perform abortions? The U.S. Constitution Article IV, Section 1 says "Full Faith and Credit shall be given in each State to the public Acts, Records, and judicial Proceedings of every other State. And the Congress may by general Laws prescribe the Manner in which such Acts, Records and Proceedings shall be proved, and the Effect thereof." Therefore it would be inadvisable, and probably unconstitutional, for Hawaii to pass such a law making other states' laws unenforceable. Doing so would undoubtedly result in protracted and very expensive litigation. Of course the "Full Faith and Credit" clause works in both directions. Just as Hawaii might not be allowed to override or circumvent the abortion laws of other states, so also those other states might not be allowed to override or circumvent the Hawaii law that this legislature is considering for enactment. Just imagine the costs of litigation as numerous pairs of states wage war against each other in court; while doctors, nurses, hospitals, and pregnant women by the millions embark on class-action lawsuits for damages -- lawyers will prosper greatly at taxpayer expense!

DISCUSSION

Let's consider the various stages of pregnancy regarding when human life begins; and the timing of an abortion; and selection of a method for performing it in a way that protects baby's life:

Definitions:

"Abortion" is the termination of a pregnancy at any time before the baby is born either by vaginal delivery or by full-term surgical removal (Cesarean section).

"Pregnancy" begins when a blastocyst is implanted into the lining of the uterus, and ends when the fetus is born or aborted. Biology lesson about "pregnancy": When an egg has passed from a woman's ovary into a fallopian tube it may become fertilized by a sperm and is then called a zygote during its passage through the tube. Note that the egg was already fertilized during its passage through the fallopian tube; that fertilization, also called "conception", is what some religions say marks the beginning of human life. The zygote continues on its journey through the tube into the uterus where it repeatedly divides creating a hollow ball of cells called a blastocyst. The blastocyst then becomes implanted in the lining of a woman's uterus where it is called an embryo and the woman can now be called "pregnant." After 9 more weeks of growth and organ development it is called a fetus. Terminology provided here is based on information provided by the Mayo Clinic and the Cleveland Clinic.

Adopting those definitions allows us to set aside several much-discussed types of contraception before pregnancy as irrelevant to the issue of abortion. But see a section at the end of this testimony: "When does human life begin so that an unborn baby has rights? Some technicalities regarding contraception vs. abortion"

For decades there has been great controversy and strident language between pro-life and pro-choice partisans on the issue of abortion. The Roe v Wade Supreme Court decision 50 years ago guaranteed women a right to

an abortion subject to various levels of federal and state regulation depending on which trimester a pregnancy was in. The Dobbs v. Jackson Women's Health Organization decision by the Supreme Court in 2022 overturned Roe as having been wrongly decided, and ruled that each state can decide the matter for itself, or Congress can enact a nationwide law.

What makes this controversy pro-life vs. pro-choice so strident is the nearly universal assumption that there is no middle ground or compromise possible.

But in fact it is possible for both pro-life and pro-choice positions to win. The difficulties arise because both sides are assuming that abortion means killing the baby -- embryo or fetus -- even the choice of words is controversial.

Hospitals today have NICUs -- Neonatal Intensive Care Units. Thousands of babies born prematurely are taken to these specialized places where they are given all the medical tests and treatments they need to survive. Some babies born only halfway through a normal gestation period, 4-5 months, are saved. Anxious and loving parents come visit them every day to have an extended finger grasped by their tiny baby, or get their shirt drooled on. Yes, it's very expensive. But how much is a human life worth, especially if it's your own child's?

A pro-choice woman/girl who wants to "control her own body" and get rid of an unwanted pregnancy anytime during its final several months can do so without killing her unborn baby. Get the fetus delivered out of mother's body into a NICU by having the mother choose to use methods already being used when mother's life is endangered by pregnancy. A choice to cause birth early can be achieved either medically with pills or shots, or surgically by Caesarean section. Of course this would be expensive, and painful, to the mother. But it's her choice, and many choices in life are expensive and painful. There might be occasions when such procedures cannot be used for valid medical reasons related to either the mother's or baby's health. In that case, mother simply cannot exercise that choice. However, neither mother nor her medical helpers should be allowed to murder the baby merely because mother doesn't want the inconvenience and cost of raising the

child, or doesn't want the pain or cost of surgically or medically induced early birth. I would choose to fly my own airplane to Paris to see how the repair of Notre Dame is coming along and dine at "Le Souffle" restaurant, but I have neither the skill nor money to exercise that choice.

Even at the earliest stages of pregnancy, there are ways to end it without killing the embryo. The techniques for doing that are improving constantly as we see in numerous advertisements for "in vitro" fertilization clinics. A couple want to make a baby but either the man or the woman has a problem that prevents them from making a baby in the usual way. The woman's egg and the man's sperm (or donations of one or the other from outsiders) are mixed in a petrie dish to cause fertilization, and then the organism (zygote, blastocyst, or embryo) is implanted into the appropriate place in the woman. In a different sort of procedure, the organism can be implanted into the body of a volunteer mother who carries the pregnancy to term as a surrogate for the woman who is unable to achieve or continue a pregnancy. Such techniques are widely used already to help couples who want to make a baby; and the same techniques could be used to harvest an unborn baby from a woman who chooses to end her pregnancy during its early stages and donate it to a woman or couple who eagerly want it. Of course this would be expensive, and painful, to the woman who chooses to end her pregnancy. But it's her choice, and many choices in life are expensive and painful. There might be occasions when such procedures cannot be used for valid medical reasons related to either the mother's or baby's health. In that case, mother simply cannot exercise that choice. However, neither mother nor her medical helpers should be allowed to murder the baby merely because mother doesn't want the inconvenience and cost of raising the child, or doesn't want the pain or cost of undergoing the procedures necessary to save the baby's life.

I believe it is clear that the pro-choice position is NOT primarily based on a claim that a woman has "the right to control my own body." Early in a pregnancy she might not even be feeling any symptoms of it. She might not know she is pregnant until she misses a couple periods and sees the wrong color on a urine test strip. It's not her body that worries her. It's the loss of control over her social life and her money. Late in her pregnancy she

will "show"; and after the baby is born she must stay home to take care of it. Men won't date her; she'll have to give up college and a career; she'll be spending many thousands of dollars every year for the next 20 years to raise her child: food, diapers, doctor bills, baby sitters, clothes, school supplies, college tuition.

The pregnant girl/woman is in the same position as a middle-aged adult stuck with taking care of an elderly parent with dementia who has medical problems that are costing lots of money, causing chaos and unhappiness in the family's homelife, and eroding what "should" be an inheritance. The easy solution in both situations is to get rid of the inconvenient person. Either kill them yourself or hire a killer. Both the actual killer (doctor, nurse, back-alley abortionist), and the person who recruited and paid the killer (Mom) are guilty of murder -- especially in view of the fact that there are ways to save the baby's life during the process of terminating the pregnancy. Medical science is making rapid advances in taking care of premature babies. As time goes by it will become possible to do so in a NICU at shorter and shorter periods of gestation.

Killing an elderly adult is very hard to get away with, because they are well known and people will notice if they suddenly disappear. But in some cultures it is/was (allegedly) a customarily accepted practice to send grandma on a final journey by putting her on a canoe or ice floe and sending her out to sea.

Killing an unborn baby is easy -- it's quite possible that nobody knows the woman is pregnant -- she can have a "medical" abortion privately, at home, by taking some pills that come in the mail or buying them at the drugstore; or a surgical abortion where HIPAA privacy laws keep the secret for her. And even if friends and neighbors know about it, abortion happens so often that it has become socially acceptable. Many people today complain about gun violence with multiple victims; but those numbers are very small compared with the enormous number of unborn babies murdered lawfully by abortion every day. I hope our legislature will not become an accomplice in these mass murders.

Let's be clear. Killing an unborn baby should be illegal except in self-defense when the pregnancy is actually killing its mother and there's no way to remove the baby that is safe for both mother and baby. "Killing its mother" should be defined as "physical", not merely the easily-stretched "psychological." The "balance of harms" test regards saving a life as more important than alleviating mental distress to mother from several months of constant reminder of the trauma that produced the baby growing inside her. If a pregnancy results from rape or incest, those are not reasons for killing the innocent baby but the legislature might specify that those factors justify the charity of government payment for the procedures needed to protect baby. Legislators considering granting "personhood" status to "Mother Earth" or to various rivers, mountains, etc. should consider whether geological features are "persons" but unborn human babies are not persons and have no inherent right to exist.

When does human life begin so that an unborn baby has rights? Some technicalities regarding contraception vs. abortion

The Roman Catholic Pope Paul VI in his encyclical "Humanae Vitae" (25 July 1968) stated the church's position that life begins at the moment of conception, when an egg has been fertilized by a sperm. This would mean that human life has begun while a fertilized egg (zygote) is still in the fallopian tube passing from the ovary to the uterus, and several days before implantation into the uterus. Thus we might conclude that deliberate use of any medication which would block implantation, for the purpose of preventing a pregnancy, would be murder or attempted murder if in fact a fertilized egg (either zygote or blastocyst) was present in the uterus at that time.

"Humanae Vitae" went a step further by stating that every act of sexual intercourse must remain open to the transmission of life, meaning that contraception by barrier methods such as condoms or diaphragms must also be prohibited. The only acceptable way to avoid pregnancy while still enjoying vaginal sex would be the "rhythm method" consisting of restricting

such an encounter to happen at a time in a woman's menstrual cycle when an egg is not yet present in the fallopian tube and also at a time when a sperm's lifespan will end before an egg has arrived in the tube. Accurate timing of such things is difficult if not impossible, and also limits the spontaneity which may be essential to intimacy and enjoyment; for example, accuracy might require a woman to often measure her temperature during 2-3 weeks every month to judge whether and when ovulation has occurred, and to faithfully continue doing so for decades until menopause.

Fortunately our U.S. Constitution prohibits us from enacting laws that would constitute an "establishment of religion." Thus legislators need not obey the views of the Catholic Church, although legislators might consider them for advice when consulting their consciences while deciding how to vote. Religions besides Roman Catholic or other Christian, including Judaism, Buddhism, Hinduism, Muslim should also be considered because there are a wide variety and large number of adherents who are citizens and residents of Hawaii, and legislators feel obligated to represent the views of their constituents.

The "morning after pill" poses a dilemma about whether it is contraception or abortion. This is a pill which a woman might take soon after having unprotected sex. Does the pill merely prevent implantation? Or does it cause ejection of an egg within a day or two after it has already been implanted? Ejection would actually be abortion, although it might not be detectable as an ejection because of the extremely small amount of material. Perhaps scientists can tell us definitively whether the "morning after pill" works only to prevent implantation and is impossible to cause an ejection. However, those who believe human life exists at the moment of conception will say it does not matter whether the "morning after pill" merely prevents implantation or actually causes ejection -- because either way, life already began when the sperm fertilized the egg inside the fallopian tube even before it arrived into the uterus.

TESTIMONY to the SENATE COMMITTEE on Health and Human Services

SB 1 Relating to Health Care

Wednesday, February 1, 2023 1:10 pm
State Capitol Conference Room 225 & Videoconference

Submitted in **STRONG OPPOSITION** by: Mary Smart, Mililani, HI

Chairman San Buenaventura and Vice Chair Aquino:

I strongly oppose to SB 1 for several reasons:

- a. Proposed section 453-16 (G) appears to violate Article IV of the US Constitution: “Full faith and credit shall be given in each of those States to the records, acts, and judicial proceedings of the courts and magistrates of every other State.”
- b. The title of the bill is misleading. Abortion is not health care as women often suffer greatly subsequent to the procedure. It is not uncommon for women to suffer from [post-abortion stress syndrome](#) which often gets swept under the carpet as if it doesn’t exist.
- c. Many women suffer complications from both surgical and chemical abortions. Not requiring the abortionist to have an MD license with hospital access is a disservice to women.
- d. There is no definition of a “non-viable” fetus which is mentioned in Section 1 paragraphs b and c. The only non-viable fetuses are those that have miscarried or an ectopic pregnancy. All other pregnancies are viable as long as there is no intentional interference with its growth in his/her mother’s womb until full term/birth. Provide a clear definition.
- e. According to many studies, due to advances in medical intervention during pregnancy [there is never a need to terminate](#) (kill) the baby to save the mother’s life or protect her health. Regarding a child with predicted infirmities and deformities, studies have shown that [80%](#) of those diagnoses were in error. Too often abortion is the recommendation when a test predicts a negative outcome and the mother submits to this unnecessary and dangerous procedure.
- f. Some states have acknowledged the scientific truth that a baby [once conceived is a living human being](#) and must be protected. The “fetus” has unique DNA separate from his/her mother. Instead of creating a sanctuary state for abortion, I would ask our legislators to research why other states are protecting a constitutional right while Hawaii treats a living human being, with unique human DNA, as property to be discarded at will.

Do not pass SB1. Please vote NO.

SB-1

Submitted on: 1/30/2023 1:22:17 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Lynette Honda	Individual	Oppose	Written Testimony Only

Comments:

Request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/30/2023 7:50:30 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Sterling Dudley-Bowen	Individual	Oppose	Written Testimony Only

Comments:

I am requesting to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

Please consider the life threatening implications of this bill and the harm that it would bring!

SB-1

Submitted on: 1/30/2023 9:14:28 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Leona Souza	Individual	Oppose	Written Testimony Only

Comments:

Request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/30/2023 9:28:06 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Tamme	Individual	Oppose	Written Testimony Only

Comments:

Request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/30/2023 10:18:09 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Alan Kaneko	Individual	Oppose	Written Testimony Only

Comments:

Request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/30/2023 11:49:22 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Lora Burbage	Individual	Oppose	Written Testimony Only

Comments:

Aloha,

I am opposed to SB 1. Allowing Physician Asistants and Registered Nurses opens the door to potentially more harm to women seeking abortions. They are not surgeons who have the knowledge and esperience of this procedure.

Mahalo,

Lora Burbage

SB-1

Submitted on: 1/30/2023 2:18:53 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Carina	Individual	Oppose	Written Testimony Only

Comments:

I request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

From Holy Love Ministries, April 30, 2021:

Once again, I (Maureen) see a Great Flame that I have come to know as the Heart of God the Father. He says:

"The state of the heart of the world reflects the state of the hearts of leaders around the world. If the leaders promote liberal attitudes, then whole nations will be governed according to liberalism. **The souls of leaders are judged according to the ways in which they handled their responsibility towards the people they represented while on earth.** If personal gain or a safe reputation took priority over their position and responsibility towards those they were chosen to govern, then in My Eyes they failed."

"Those in government who support abortion are responsible for the murders of the children that have been taken as a result of their policies. Knowing this, you can see why whole nations are not guided by righteousness."

"This is why I plead for prayers for anyone in a leadership role. The past is gone, but you can change the future if you pray now for misguided hearts."

SB-1

Submitted on: 1/30/2023 3:57:15 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Lexi Huang	Individual	Oppose	Written Testimony Only

Comments:

Request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine training/education. PA's must work interdependently with physicians per scope of practice. Training not required by law and without hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Consitution.

SB-1

Submitted on: 1/30/2023 4:05:40 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Rita Kama-Kimura	Individual	Oppose	Written Testimony Only

Comments:

Please note that I am opposed to this SB1 Abortion expansion bill.

We already have licensed physicians, surgeons, licensed osteopathic physician and as of last year APRN's authorized to perform abortions. Now we want to add licensed physician assistants to perform certain types of abortion? why?

I also don't want Hawaii to be looked at as a budding Sanctuary State for Abortions. As I understand it, with this bill we the State of Hawaii are announcing that we and the woman having the abortion carried out here in our state are not subject to the laws of any other state, including the one the woman may have come from.

The bill currently states ... *Abortion shall mean an operation to intentionally terminate the pregnancy of a **nonviable fetus. The termination of a pregnancy of a viable fetus is not included in this section. ... my fear is how long will be before this is expanded to include the "viable" fetus/child?***

No, the path this is leading down is not one that I can support, I ask that you oppose and stop this bill now.

Respectfully,

Rita Kama-Kimura

SB-1

Submitted on: 1/30/2023 4:26:12 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Deborah Lum	Individual	Oppose	Written Testimony Only

Comments:

I am Requesting to oppose this bill for the safety of patients and protection of clinicians. These are the reasons I am asking to oppose Senate bill one.

1. Performing a medical procedure in an unlicensed facility that is not required to meet health or government requirements subjects patients and clinicians to possible injury death and subsequent litigation.
2. Physician's assistants are required to receive only General Medical education and training and PA's must work interdependently with physicians per scope of practice. Training not required by law and without hospital admission privileges for medical emergencies which is very important if there were to be a medical emergency to have the capability to have hospital admissions for that patient.
3. There is no definition of certain abortions.
4. Language to remove Hawaii from civil action is contrary to the constitution.

Thank You,

Deborah Lum

SB-1

Submitted on: 1/30/2023 5:02:42 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Michelle Murphy	Individual	Oppose	Written Testimony Only

Comments:

Senator Sharon Y. Moriwaki,

I live in District 12 (Waikiki). I oppose Senate Bill No. 1. I believe in the sanctity of life and believe life for a human being starts at conception. I support proper health care and protocol for the mother and her unborn child. I am opposed to abortion.

Sincerely,

Michelle Murphy

SB-1

Submitted on: 1/30/2023 5:51:27 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Brett Kulbis	Individual	Oppose	Written Testimony Only

Comments:

Chair San Buenaventura and Chair Keohokalole,

I STRONGLY OPPOSE SB-1.

While I'm Pro-Life, I'm concerned the unintended consequences of this bill would be just as horrific, with thousands of non-residents coming here and stressing our limited healthcare resources. Additionally, I'm also concerned this bill turns Hawai'i into an abortion destination rather than an a vacation destination.

Many are concerned about over tourism and the affects it has on our aina. This is no different.

Please defer this bill and let's keep Hawai'i the Aloha State.

There's no Aloha in abortion!

SB-1

Submitted on: 1/30/2023 6:12:30 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
tom laidlaw	Individual	Oppose	Written Testimony Only

Comments:

I respectfully request that SB1 not be passed for the safety of all patients and protection of medical clinicians and offer the following reasons:

SB1 allows:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

Thank you for your consideration and support in this critical matter.

sincerely,

Tom Laidlaw

SB-1

Submitted on: 1/30/2023 6:48:26 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
kuulei	Individual	Oppose	Written Testimony Only

Comments:

Dear Kauai Representatives:

I am requesting to oppose the proposed changes on SB 1.

These proposed changes in my opinion are dangerous, as it gives more access to abortions with even less accountability to parties involved....

The life of Hawaii is perpetuated in Pono Actions.... Thank you, Kuulei

SB-1

Submitted on: 1/30/2023 6:51:38 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Traci Sylva	Individual	Oppose	Written Testimony Only

Comments:

Request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/30/2023 7:22:59 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Patrick Rorie	Individual	Oppose	Written Testimony Only

Comments:

Dear Hawaii State Senator:

Please oppose SB1 Relating to Health Care.

Why? For the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

Please vote 'No' to SB1 Relating to Health Care.

Mahalo nui for your time and consideration.

With Aloha,

patrick rorie (Hawaii resident since 1987, tax payer, voter)

SB-1

Submitted on: 1/30/2023 7:54:53 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
James Rosa	Individual	Oppose	Written Testimony Only

Comments:

For the mental and physical health of both the mother and child only a certified doctor, in a certified clinic should be allowed to commit the murder of an unborn child. Think about it, this is how far killing an unborn child has come, yet we were all given the right to live and we don't have the right to terminate a LIFE.

SB-1

Submitted on: 1/30/2023 7:56:11 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Susan Hullerman	Individual	Oppose	Written Testimony Only

Comments:

Request to OPPOSE for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/30/2023 8:31:56 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Lesa Cisneros	Individual	Oppose	Written Testimony Only

Comments:

I am totally against this bill.

SB-1

Submitted on: 1/30/2023 9:46:29 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Arliss Stanley	Individual	Oppose	Written Testimony Only

Comments:

I oppose SB1 because it leaves both patient and medical staff at risk of harm and liability. The lack of accountability is not right for such serious medical procedures.

SB-1

Submitted on: 1/31/2023 12:01:46 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Janell Y Y Beattie	Individual	Oppose	Written Testimony Only

Comments:

Oppose SB1

SB-1

Submitted on: 1/31/2023 3:17:40 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Alice Abellanida	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose this bill. It is unsafe and unconstitutional. I urge you to vote no.

SB-1

Submitted on: 1/31/2023 4:58:24 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
james wallace	Individual	Oppose	Written Testimony Only

Comments:

I oppse SB1 for common sense reason.! abortion is already risky to the clients and life time trauma.And 2 now even more risky with a physician assistant performing abortion.I thought there moto was safe and rare.They want to make it unsafe and more accessible which is careless.

SB-1

Submitted on: 1/31/2023 7:19:22 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Michael Wong	Individual	Oppose	Written Testimony Only

Comments:

I oppose this bill because it puts the women life in danger by NOT habing a doctor present

if something goes wrong God forbid and a women loses her life because no doctor it will be a scar againts us

God Bless

SB-1

Submitted on: 1/31/2023 9:02:31 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Renier Torres	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to this bill as it appears to place the life of both the mother and unborn child at risk. as a father of three and grandfather, I believe these measures are dangerous and only a doctor should be performing this on a very limited option.

SB-1

Submitted on: 1/31/2023 9:11:40 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Roxanne Torres	Individual	Oppose	Written Testimony Only

Comments:

I am opposed at the passing of SB1 Relating to Health Care, as it appears to be an expansion of abortions in our state. As a voting member of our community, I believe that we should speak out against those laws that put a great risk our families, in this case mothers and the unborn child. I believe we should be doing more to care for our ohana then putting them at risk. I do not want my voice to be unheard as others try to down play those of us we seek to promote life.

SB-1

Submitted on: 1/31/2023 9:18:18 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Citizen	Individual	Oppose	Written Testimony Only

Comments:

Oppose SB1.

SB-1

Submitted on: 1/31/2023 9:21:30 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Susana Kwock	Individual	Oppose	Written Testimony Only

Comments:

Oppose SB1.

SB-1

Submitted on: 1/31/2023 9:58:26 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Alfred Hagen	Individual	Oppose	Written Testimony Only

Comments:

Dear Committee Members,

My concerns about SB1 are as follows:

Allowing a physician assistant to perform an invasive procedure on a pregnant mother is so dangerous to the mother because it does not consider the real possibility of complications such as uterine wall perforations and/or hemorrhaging; a doctor is the best medical person to respond to such complications. Would you want a physician assistant to perform an invasive procedure on you or a loved one? As qualifications continue to be less and less medically based, will Hawaii in the coming years begin on-the-job abortion training to lay persons? I, sincerely, hope not.

Added to this, is the deletion from the bill of a hospital, clinic or doctor's office as settings for abortion procedures. Does this mean an abortion can take place anywhere where cleanliness standards and access to life saving devices might be absent? This does not bode well for clients (pregnant mothers) of unscrupulous abortionists.

My next concern is that Hawaii is taking a passive-aggressive position against states that have laws restricting abortions. That Hawaii will not give "Full Faith and Credit" to the laws of sister states invites litigation because of its questionable constitutionality. With this kind of language in this bill, it appears that Hawaii is engaged in the unseemly business of abortion trafficking.

I urge you to vote "No" on this bill.

Respectfully submitted,

Alfred Hagen

SB-1

Submitted on: 1/31/2023 10:42:35 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
JoAnn Takamiyashiro	Individual	Oppose	Written Testimony Only

Comments:

I am opposing this bill for the safety of patients and protection of medical professionals for the following reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/31/2023 10:51:50 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Jasmine Inman	Individual	Oppose	Written Testimony Only

Comments:

I Request to OPPOSE SB1 for the safety of patients and protection of clinicians.

Reasons:

- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions.
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/31/2023 12:08:59 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Annabelle Perez	Individual	Oppose	Written Testimony Only

Comments:

SUBJ: Opposition to Hawaii SB-1 – Relating to Health Care.

I have been an active member of my community and volunteering to help those who are in need specially our young Keikis. I am very concerned about the impact this health care reform will have on the protection of human life – mother and fetus (baby). Passing of SB1 would lead to the greatest expansion of abortion since Roe v. Wade by allowing inadequately trained and unskilled non-physicians and physician assistants to perform abortions.

SB-1 makes no provisions for emergency situations arising from the abortion surgical procedure. For example: a Physicians assistant is not trained, nor do they have the skill to prevent excessive bleeding from a poorly performed/blotched abortion. And, as I understand Hawaii law, they do not have hospital privileges that would/could save the life of either/both the mother or surviving fetus. In short, allowing an untrained, unskilled medical person to perform a complicated abortion is completely absurd; and medically unsound.

Where is the Aloha in inviting an out-of-state woman to come to Hawaii for an abortion? Why should Hawaii constituents be held responsible for the health-care of an out-of-state person.....and to complicate the situation, SB-1 refuses to honor both our State Constitution and the U.S. Constitution by denying another state this medical information. As a resident of Hawaii, I DO NOT want to shoulder the legal responsibility of protecting any abortionist from legal requirement of another U.S. state, especially from a malpractice claim.

In short.....I do not believe that Hawaii should become the abortion capitol of the world.

I am definitely opposed to SB-1! I seek your vote ‘against’ this bill!

Sincerely,

Annabelle Perez

91-1012 Hoesa St. Kapolei, HI 96707

(808) 256-9634

SB-1

Submitted on: 1/31/2023 12:14:31 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
MaryRose Timmons	Individual	Oppose	Written Testimony Only

Comments:

Subject: Opposition to abortion expansion bill!

This testimony is share my opposition to the expansion abortion bill. Please vote NO on SB1.

Every pre-born, unborn and born child has the right to life and should be protected all all stages!

Thank you!

SB-1

Submitted on: 1/31/2023 12:15:54 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Raul Perez	Individual	Oppose	Written Testimony Only

Comments:

My family and I have lived in Hawaii since 1995 and made this our home. It is sad that our state is losing the value of family and the principle of life.

I can no longer stand silent in the direction of our state is going. Therefore, I am very concerned about the impact this health care reform will have on the protection of human life – mother and fetus (baby). Passing of SB1 would lead to the greatest expansion of abortion since Roe v. Wade by allowing inadequately trained and unskilled non-physicians and physician assistants to perform abortions.

SB-1 makes no provisions for emergency situations arising from the abortion surgical procedure. For example: a Physicians assistant is not trained, nor do they have the skill to prevent excessive bleeding from a poorly performed/blotched abortion. And, as I understand Hawaii law, they do not have hospital privileges that would/could save the life of either/both the mother or surviving fetus. In short, allowing an untrained, unskilled medical person to perform a complicated abortion is completely absurd; and medically unsound.

Where is the Aloha in inviting an out-of-state woman to come to Hawaii for an abortion? Why should Hawaii constituents be held responsible for the health-care of an out-of-state person.....and to complicate the situation, SB-1 refuses to honor both our State Constitution and the U.S. Constitution by denying another state this medical information. As a resident of Hawaii, I DO NOT want to shoulder the legal responsibility of protecting any abortionist from legal requirement of another U.S. state, especially from a malpractice claim.

In short.....I do not believe that Hawaii should become the abortion capitol of the world.

I am definitely opposed to SB-1! I seek your vote ‘against’ this bill!

Sincerely,

Raul Perez

91-1012 Hoesa St. Kapolei, HI 96707

(808) 256-9000

SB-1

Submitted on: 1/31/2023 12:30:00 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Valerie Streff	Individual	Oppose	Written Testimony Only

Comments:

SB 1 Relating to Health Care

Wednesday, February 1, 2023

I strongly oppose SB 1 because abortion is not health care for a women. It is a stressful time for a woman and every care with a licensed doctor is very important. Please remember, life is sacred and even though a man and a woman are able to create a baby, it is God who breathes life into a child. Life can only be given by God himself.

Respectfully yours

Valerie Streff

Kapolei Hawaii 96707

SB-1

Submitted on: 1/31/2023 12:39:20 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Vlad Sosa	Individual	Oppose	Written Testimony Only

Comments:

I oppose this Bill because:

- It is wrong! - God command us to not take other's life, but to love and care for others, all human beings, including baby and mother
- We are called to care for one another from inception to death, every human life matters
- Incentives the murder of a human being that deserves to have the opportunity grow and develop and contribute to our society.
- Incentives young people to easily dismiss the responsibility and consequences of having sexual intercourse
- Incentives youth to dismiss life, both the unborn and the borne. Aren't we teaching then that some people are more valuable than others?
- Incentives the creation of a profit industry where people will be exposed to scams and medical negligence.
- Performing a medical procedure in an unlicensed facility that is not required to meet health/government requirements subjects patients and clinicians to possible injury, death, and subsequent litigation.
- Physician assistants (PA's) are required to receive only general medicine education/training. PA's must work interdependently with physicians per scope of practice. Training not required by law and without Hospital admission privileges for medical emergencies.
- There is no definition of "certain" abortions. What exactly this means?
- Language to remove Hawaii from civil action is contrary to the Constitution.

SB-1

Submitted on: 1/31/2023 12:40:26 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Sue Berk	Individual	Oppose	Written Testimony Only

Comments:

SB-1 makes no provisions for emergency situations arising from the abortion surgical procedure. For example: a Physicians assistant is not trained, nor do they have the skill to prevent excessive bleeding from a poorly performed/blotched abortion. And, as I understand Hawaii law, they do not have hospital privileges that would/could save the life of either/both the mother or surviving fetus. In short, allowing an untrained, unskilled medical person to perform a complicated abortion is completely absurd; and medically unsound.

Please do not allow this bill to pass.

LATE

January 31, 2023

TO: Senator Joy San Buenaventura, Chair
Senator Henry Aquino, Vice-Chair
Honorable Members
Senate Health and Human- Services Committee

RE: Opposition to Hawai'i SB-1 – Relating to Heath Care

I would like to express my concern about the impact this proposed health care legislation will have on the protection of human life – both mother and fetus (baby). Passage of SB-1 would lead to the greatest expansion of abortion since the Roe v. Wade by authorizing non-physicians and physician assistants to perform abortions. While both of the health care service providers bring specific skills to the patients they serve, they are not trained to perform surgical procedures such as abortions.

In the proposed bill there are no provisions for emergency situations arising from the surgical procedure used to perform an abortion. For example, if a patient experiences excessive bleeding during or post procedure, the physician's assistant or advanced practice nurse are not trained to adequately deal with that dire and life-threatening situation. This is particularly problematic if the procedure is performed outside of the hospital or ambulatory surgery center. In addition, it is my understanding that, according to Hawai'i law, the physician's assistant or advanced practice nurse do not have hospital privileges that would them to admit a mother experiencing an emergency as the result of the abortion procedure increasing the risk that the life of the mother or the surviving fetus would be lost.

I am opposed to SB – 1 and respectfully ask that the Committee vote against this bill.

Thank you for your consideration,

Susan M. Slavish

Redacted per testifier
request

SB-1

Submitted on: 1/31/2023 12:46:24 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerald Streff	Individual	Oppose	Written Testimony Only

Comments:

TESTIMONY to the SENATE COMMITTEE on Health and Human Services

SB 1 Relating to Health Care

Tuesday 31 January 2023, 12:42P

Submitted in **STRONG OPPOSITION** by: Gerald Streff, Kapolei, HI 96707

Chairman San Buenaventura and Vice Chair Aquino:

Re: Opposition to Hawaii SB-1 – Relating to Health Care.

I am very concerned about the impact this so-called, health care reform will have on the protection of human life – mother and fetus (baby). Passing of SB1 would lead to the greatest expansion of abortion since Roe v. Wade by allowing inadequately trained and unskilled non-physicians and physician assistants to perform abortions. The bill treats women, especially pregnant women and their babies, as objects; it does not respect their individuality or who they are as human beings.

SB-1 makes no provisions for emergency situations arising from the abortion surgical procedure. For example: a Physicians assistant is not trained, nor do they have the skill to prevent excessive bleeding from a poorly performed/blotched abortion. And, as I understand Hawaii law, they do not have hospital privileges that would/could save the life of either/both the mother or surviving fetus. In short, allowing an untrained, unskilled medical person to perform a complicated abortion is completely absurd; and medically unsound.

Where is the Aloha in inviting an out-of-state woman to come to Hawaii for an abortion? Why should Hawaii constituents be held responsible for the health-care of an out-of-state person.....and to complicate the situation, SB-1 refuses to honor both our State Constitution and the U.S. Constitution by denying another state this medical information according to their respective laws.

As a resident of Hawaii, I **DO NOT** want to shoulder the legal responsibility of protecting any abortionist from legal requirement of another U.S. state, especially from a malpractice claim.

In short.....I do not believe that Hawaii should become the abortion capitol of the world.

I am **definitely opposed to SB-1!** I seek your vote 'against' this bill!

Sincerely,

Gerald E Streff

Redacted per
testifier request

SB-1

Submitted on: 2/1/2023 7:51:56 AM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Janet Hochberg	Individual	Oppose	Written Testimony Only

Comments:

LATE

STRONG OPPOSITION

As you know, this is a horrific bill that will put not only an unborn child's life at risk, but the risk of a minor girl and women.

Hawaii has some of the most accessible abortion laws in the nation. Is real aloha inviting those from out of state to obtain an abortion at possibly taxpayers expense pono?

It is outrageous that the people of Hawaii have given power to those who have not regard for human life.

Please show you have some heart since you were given one to live with, and VOTE NO ON THIS just destructive bill.

Mahalo!

SB-1

Submitted on: 1/29/2023 5:23:29 PM

Testimony for HHS on 2/1/2023 1:10:00 PM

Submitted By	Organization	Testifier Position	Testify
Shannon Matson	Individual	Comments	Remotely Via Zoom

Comments:

Aloha Chairs, Vice Chairs, and members of the Committees,

I am very much hoping to have the opportunity to tune in to this hearing and submit oral testimony as I do not have the time to write the truly detailed testimony of my thoughts on this subject as I would like to. I appreciate the intent of this bill, but I also believe you are missing a crucial part of the puzzle in addressing this issue, here's my quick attempt to outline my concerns:

My hesitation in full support of this bill comes from knowing what our current law is on the books regarding abortion and the continued allowance of the language distinguishing between "viable and nonviable" pregnancies in a place that claims to be fully in support of a pregnant persons' right to choose. If the language of viable and nonviable remains on the books then this new legislation would potentially unjustly penalize/criminalize doctors that may just be trying to help their patients under their oath as doctors regardless of the ambiguity under our current laws of the State regarding abortion. I have had three friends in the past year alone, be faced with some extremely hard decisions that our current law does not provide clarity around and caused confusion in various doctors offices. All of this excess stress, heartbreak and additional trauma, during an already exhausting and emotion time was due to the language that still exists in HRS regarding viable versus non-viable pregnancies. One of my friends was dealing with terminating a pregnancy that could either be classified as viable or non-viable, depending on which doctor you asked, based on the developmental disabilities of the fetus. Ultimately, she had to travel to Colorado to get the healthcare she required to terminate her VERY WANTED pregnancy because no doctors here would help her, based on their interpretation of our current laws. Another friend was past the arbitrary date of termination as decided by her doctor, as there is no specific date listed in HRS, this number of weeks is very open to interpretation as well, before even discovering she was pregnant. I hesitate to support ANY legislation that continues to include that non-viable vs viable language as well as the outdated mention of "females" instead of the more inclusive gender neutral language of pregnant person. For those of you who may still be unaware that non-females can become pregnant, there are many resources available to help you educate yourself on this topic, here is one of them: <https://www.parents.com/pregnancy/my-body/pregnancy-health/trans-and-nonbinary-people-can-be-pregnant-too/> There is much more to share on this topic and I would urge you to please consult with experts regarding pregnancy and the ambiguity of determining viability before proceeding with this bill as it is currently written. As well as please include experts regarding gender and what it means to be a non-female birthing person to help you update our outdated language in HRS.

If we truly want safe, legal, and equitable access to abortion for ALL who need them we need to remove “viable/nonviable” from HRS. There is almost no consistency or consensus nationwide regarding what truly constitutes viability and the most heartbreaking of all these decisions to terminate pregnancy are meeting additional criteria and restrictions when it should really just be a decision between the patient and their doctor. It’s the only way to ensure protection for those who really need abortions and those who are helping administer them safely and without discrimination. (I will save my discussion on actually making abortions ACCESSIBLE and EQUITABLE for those who may need them for another time).

Mahalo for your time and consideration of this extremely sensitive and often controversial subject matter. This is important, please don't stop fighting for our birthing rights and freedoms! Abortion access and safety is one of our most basic, fundamental human rights. We need to protect it at all costs, but we need to make sure the laws we are passing are actually doing what we are intending them to do, and right now, the truth is that Hawai'i is neither a completely legally safe, nor easy place to access this right.

Mahalo,

Shannon Matson

Dedicated Organizer for Women's March/Abortion Access on Hawai'i Island