

JAN 20 2023

A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 "CHAPTER

5 REPRODUCTIVE HEALTH CARE SERVICES PATIENT INFORMATION

6 § -1 **Definitions.** As used in this chapter:

7 "Board" means a Hawaii board of professional licensure that
8 is responsible for the licensing of persons or entities in the
9 State.

10 "Reproductive health care services" means all medical,
11 surgical, counseling, and referral services relating to the
12 human reproductive system, including but not limited to services
13 relating to pregnancy, contraception, and termination of
14 pregnancy.

15 § -2 **Provision of patient information; prohibited;**
16 **exceptions.** No employee or officer of the State or of any
17 county shall provide any reproductive health care services



1 patient information, including medical records, patient-level
2 data, and billing information, or expend state resources in
3 furtherance of any inquiry, investigation, or proceeding
4 initiated by another state that seeks to impose civil, criminal,
5 or professional liability upon a person or entity for:

6 (1) Providing, securing, receiving, or supporting
7 reproductive health care services legally performed or
8 provided in the State; or

9 (2) Any form of assistance or support given to any person
10 or entity that relates to providing, securing,
11 receiving, or supporting reproductive health care
12 services legally performed or provided in the State;

13 provided that an employee or officer of the State or of any
14 county may provide information or assistance in connection with
15 an investigation or proceeding in response to a written request
16 by a person who is the subject of the investigation or
17 proceeding. This section shall not apply to any investigation
18 or proceeding where it reasonably appears that the conduct that
19 is subject to potential liability under the investigation or
20 proceeding initiated in or by another state would be subject to
21 civil or criminal liability or professional disciplinary action



1 under the laws of the State if the conduct had occurred in the
2 State.

3 § -3 Licensed professionals; protected. No person shall
4 be disqualified from licensure or subject to professional
5 disciplinary action by a board for providing reproductive health
6 care services, including but not limited to persons licensed
7 under sections 436E, 442, 451D, 451J, 451K, 452, 453, 453D, 455,
8 457, 457A, 457J, 461, 465, and 467E; provided that the services
9 provided are lawful and consistent with the generally accepted
10 standards of their respective professional practice in the
11 State."

12 SECTION 2. This Act shall take effect upon its approval.

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INTRODUCED BY _____

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S.B. NO. 604

Report Title:

Abortion; Reproductive Health Care Services; Information;
Privacy; Protection

Description:

Prohibits state and county employees and officers from providing reproductive health care services patient information or expending state resources in furtherance of another state's investigation or proceeding that seeks to impose civil, criminal, or professional liability upon a person or entity related to reproductive health care services. Prohibits any person from being compelled to provide reproductive health care services patient information. Prohibits any persons from being disqualified from licensure or subject to discipline by a Hawaii board of professional licensure for providing reproductive health care services.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

