

STAND. COM. REP. NO.

255

Honolulu, Hawaii

FEB 09 , 2023

RE: H.B. No. 955  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Health & Homelessness, to which was referred H.B. No. 955 entitled:

"A BILL FOR AN ACT RELATING TO CHAPTER 457J, HAWAII REVISED STATUTES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Permit persons acting as birth attendants after July 1, 2023, to practice midwifery without a license; and
- (2) Include the North American Registry of Midwives portfolio evaluation process as proof of successful completion of a formal midwifery education and training program for certified professional midwives.

Your Committee received testimony in support of this measure from the Hawai'i State Commission on the Status of Women; one member of the Hawai'i County Council; Hawaii Home Birth Collective; Pacific Birth Collective; Ho'opae Pono Peace Project; The Ark Christian Church; Our Revolution Hawaii; UpCountry Doctor; Gomez Creative Collective; JB Entertainment Corporation; Hawaiian Vanilla Company; Chamber of Sustainable Commerce; Songbird Birth Services; Loquat Co LLC; Gomez Media Group; Mālama Nā Pua O Haumea; Hawkinson Designs; Traditional MidWives; Hawaii Holistic

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Midwifery; Elevate Your Birth, LLC; Zakeri Media LLC; Nightbloom Birth LLC; Aoki Birthing Care; Summa Sea LLC; Mission Home Health; Montgomery Original Snoballs; Holistic Womb Arts; Gentle Beginnings Midwifery; NW Community Midwives; and numerous individuals. Your Committee received testimony in opposition to this measure from the Hawai'i Section of the American College of Obstetricians and Gynecologists, 'Ahahui o Nā Kauka, and numerous individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs, Hawai'i Affiliate of the American College of Nurse-Midwives, and two individuals.

Your Committee finds that traditionally-trained birth attendants of all cultures are valued and preferred by some consumers, and that the type of birth attendant utilized at a birth should be the birthing person's choice. Your Committee further finds that Act 32, Session Laws of Hawaii 2019, inadvertently omitted a category of professional midwives who have completed the North American Registry of Midwives portfolio evaluation process. This measure is intended to broaden the pool of people birthing persons may have to assist them at birth by including the North American Registry of Midwives portfolio evaluation as proof of successful completion of a formal midwifery education and training program for certified professional midwives.

Your Committee has amended this measure by:

- (1) Amending the preamble;
- (2) Deleting amendments that would make permanent the exemption for birth attendants to practice midwifery without a license and instead extending the date by which a person must have been acting as a birth attendant to be exempt from licensure to July 1, 2025;
- (3) Changing the effective date to June 30, 3000, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee respectfully requests your Committee on Consumer Protection & Commerce, should it deliberate on this



measure, to consider laws adopted by Oregon or any other state to provide various guardrails and safety measures for birth attendants.

As affirmed by the record of votes of the members of your Committee on Health & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 955, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 955, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Health &  
Homelessness,

*Della A Belatti*

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DELLA AU BELATTI, Chair



