

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii  
Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.C.R. No. 191 entitled:  
"SENATE CONCURRENT RESOLUTION URGING THE UNITED STATES DEPARTMENT OF HEALTH AND  
HUMAN SERVICES TO AMEND ITS POLICIES RELATING TO POSTPARTUM STERILIZATION WAITING  
PERIODS FOR MEDICAID RECIPIENTS,"

begs leave to report as follows:

The purpose of this measure is to urge the United States Department of Health and Human Services to amend its policies relating to postpartum sterilization waiting periods for Medicaid recipients.

Your Committee received testimony in support of this measure from the Hawaii Section of the American College of Obstetricians and Gynecologists and six individuals.

Your Committee finds that postpartum sterilization is the most commonly used form of contraception in the country and is safe, effective, and provides substantial cost savings for health care systems. However, your Committee further finds that there are significant systemic barriers to postpartum sterilization for Medicaid recipients. Unlike privately insured individuals, Medicaid recipients are required to wait thirty days between consent to postpartum sterilization and surgery; failure to comply can result in reimbursement denial to providers for delivery and postpartum care. This policy results in a discriminatory two-tiered system of access, based on income, to a basic and highly effective form of contraception. Your Committee finds that the United States Department of Health and Human Services should review and revise this policy to ensure fair and equitable access to reproductive health services.

Your Committee has amended this measure by:

(1) Specifying that certified copies of this measure be transmitted to the Director of Human Services and Administrator of the Department of Human Services' Med-QUEST Division; and

(2) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee concurs with the intent and purpose of S.C.R. No. 191, as amended herein, and recommends its adoption in the form attached hereto as S.C.R. No. 191, H.D. 1.

Respectfully submitted on behalf of the members of the Committee on  
Consumer Protection & Commerce,

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AARON LING JOHANSON, Chair