

RE: S.C.R. No. 191

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii
Sir:

Your Committees on Health and Judiciary, 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,"

beg leave to report as follows:

The purpose and intent 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 Committees received testimony in support of this measure from the American College of Obstetricians and Gynecologists and eight individuals. Your Committees received testimony in opposition to this measure from one individual.

Your Committees find that postpartum sterilization, a form of contraception for women in which a doctor cuts and closes or completely removes the fallopian tubes shortly after a woman gives birth, is the most used form of contraception in the United States. For Medicaid recipients, federal regulations require a thirty-day waiting period between consent to postpartum sterilization and surgery and failure to comply with the waiting period can result in reimbursement denial for delivery and postpartum care. By contrast, privately insured individuals are not generally subject to a thirty-day waiting period between consent and surgery, creating a two-tiered system of access that restricts reproductive autonomy to those who can afford it. Your Committees find that regulations that place an additional undue burden on patients and families who already face systemic disadvantage and poor health outcomes, particularly low-income people and people of color, should be abolished or revised to ensure fair and equitable access to all reproductive health services.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary that are attached to this report, your Committees concur with the intent and purpose of S.C.R. No. 191 and recommend its adoption.

Respectfully submitted on behalf of the members of the Committees on
Health and Judiciary,

KARL RHOADS, Chair

JARRETT KEOHOKALOLE, Chair