



Papa Ola Lokahi
Nana I Ka Pono Na Ma

LATE

Papa Ola Lokahi
894 Queen Street
Honolulu, Hawaii 96813

Phone: 808.597.6550 ~ Facsimile: 808.597.6551

Papa Ola Lokahi

is a non-profit Native Hawaiian organization founded in 1988 for the purpose of improving the health and well-being of Native Hawaiians and other native peoples of the Pacific and continental United States.

Board of Directors

Member Organizations

Hoola Lahui Hawaii

Hui No Ke Ola Pono

Hui Malama Ola Na Oiwai

ALU LIKE

Ke Ola Mamo

E Ola Mau

University of Hawaii

Hawaii State Department of Health

Na Puuwai

Office of Hawaiian Affairs

Ex-Officio Members

Hawaii Primary Care Association

Ke Alaula

Kupuna

Aunty Betty Jenkins

Executive Director

Sheri-Ann Daniels, EdD

SENATE COMMITTEE ON CONSUMER PROTECTION, COMMERCE & HEALTH

Sen. Rosalyn Baker, Chair

Sen. Clarence K. Nishihara, Vice-Chair

TESTIMONY ON NATIVE HAWAIIAN PRACTICES SB 1312 - RELATING TO LICENSURE OF MIDWIVES

Tuesday, February 14, 2017, 9:00 AM
Conference Room 229, State Capitol

Greetings of aloha to Chair Baker, Vice-Chair Nishihara and members of the committee.

While not commenting on the other aspects of this bill, Papa Ola Lōkahi, the Native Hawaiian Health Board, is solely interested in assuring Hawaiian cultural practices around pregnancy and childbirth, hāpai and hānau, are preserved and protected, and that there are no barriers to their perpetuation.

The Native Hawaiian Health Care Improvement Act—through which Congress has established Papa Ola Lōkahi, the five Native Hawaiian Health Care Systems, and the Native Hawaiian Health Scholarship Program—recognizes and affirms Native Hawaiian determination to preserve, maintain and transmit spiritual and traditional beliefs, customs and practices.

The Hawai'i State Constitution also reaffirms the "unique right of the Native Hawaiian people to practice and perpetuate their cultural and religious beliefs ..." Specifically Hawai'i Revised Statutes 453-2 exempts traditional Hawaiian healing practitioners from medical licensure, and designates Papa Ola Lōkahi with recognizing Kupuna Councils of traditional Hawaiian healers.

Papa Ola Lōkahi is proposing that practitioners of traditional Native Hawaiian practices, pale keiki and others, are exempt, per HRS 453-2(c).

Working in partnership with members of the Native Hawaiian birthing community, Papa Ola Lōkahi is willing to convene a Native Hawaiian birth council, as we do for the Kupuna Councils.

Mahalo nui for the opportunity to offer testimony on SB 1312.

baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 5:48 PM
To: CPH Testimony
Cc: aluhi@yahoo.com
Subject: Submitted testimony for SB1312 on Feb 14, 2017 09:00AM

LATE

SB1312

Submitted on: 2/13/2017

Testimony for CPH on Feb 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Alohi Aea	Individual	Oppose	Yes

Comments: As a Native Hawaiian woman who has chosen to birth with the help of 3 excellent midwives, I STRONGLY OPPOSE SB 1312 for the following reasons: 1. A woman's right to choose is not protected by this bill. It assumes that a governmental agency should be allowed to tell a woman who she may birth with. 2. This bill may unfairly discriminate against women who have health conditions that the designated "board" may deem "dangerous." For example, at age 35 I was considered "elderly" with my first pregnancy. This bill does not outline the limitations of the scope of practice for a midwife, and as such there is no telling what sorts of limitations might be set for a midwife's clients. 3. This bill DOES NOT recognize the unique customs, traditions and practices that exist in Hawaii, and as it is written, it will criminalize midwives in Hawaii who have provided incredible support to numerous women. 4. This bill assumes that women who choose to birth with midwives are incapable of doing their personal research and making decisions that are best for themselves and their families, and it does not allow for body sovereignty and personal choice. For these reasons, among many others, I strongly oppose this bill. As it is written, it is too problematic even to simply be amended. Alohi Ae'a.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 5:48 PM
To: CPH Testimony
Cc: annsfreed@gmail.com
Subject: *Submitted testimony for SB1312 on Feb 14, 2017 09:00AM*

LATE

SB1312

Submitted on: 2/13/2017

Testimony for CPH on Feb 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Ann S Freed	Hawaii Women's Coalition	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

REGULAR SESSION OF 2017

To: Honorable Senate CPH Chair Baker and Committee Members

My name is Jaymie Lewis. I am a Hawaii resident living in Kailua for the past 11 years. I am currently a midwife supporting families with out of hospital deliveries, a doula supporting families with in hospital deliveries, and a lactation specialist supporting families in their home after they have brought their babies into the world. I plan to sit for my NARM exam to obtain a CPM certificate this year, 2017. I am submitting my testimony to OPPOSE S.B. No. 1312 – relating to the licensure of midwives.

I strongly believe in body sovereignty, reproductive rights, and women's rights! These are all BASIC HUMAN RIGHTS which can be applied directly to this piece of legislation. From a personal perspective, as a mother of two and as a person occupying a female body, I strongly oppose this measure. I have birthed both of my children in my Kailua home with the assistance of my husband and my chosen midwife. This was a decision my husband and I made together knowing full well the risk and benefits of choosing an out of hospital delivery. I strongly believe we made the right choice.

Being born is a normal physiological occurrence in ALL of life. Even with the "safety nets" of the hospital paradigm, the unfavorable can happen when it comes to childbearing. It is up to those bearing the child to decide who is appropriate (if anyone) to support them in their care and with that comes the responsibility of the choices they have made along the way. This is true for anything related to an individual's body at any point in their lifetime.

I support CPMs gaining recognition of their certificate by the state of Hawaii so they may practice within their scope of training. I am planning to be a CPM this year! I DO NOT BELIEVE it is necessary to outlaw all other forms of out of hospital birth attendants in order to achieve this goal. Making the CPM certificate the only way to access out of hospital birth services limits access to a majority of those seeking these services, considering less than half of the out of hospital providers in Hawaii are CPMs. There is even less access to *acquiring* a CPM certificate in Hawaii, forcing non-CPM providers to leave in order to attain this certificate or lose their ability to provide a service very few even have the desire to sacrifice one's self for.

Hawaii is one of 15 other states have chosen to either not regulate out of hospital practices (13 states) or make licensure voluntary (2 states). Hawaii is very unique in its demographical and geographical situation. Our islands need the midwives to support the more remote areas of our unique landscape. Hawaii is always at risk of natural disasters such as hurricanes, earthquakes, flooding, etc, making our islands the most susceptible to limited access, loss of power, water, food, medications, and more. Hawaii needs to preserve out of hospital birthing traditions in order to ultimately protect our public in the grander scheme of public safety. We cannot risk losing that knowledge of the traditional birth attendant or access to her. The legislation cannot cut and paste another state's laws and apply them here. It simply does not work the same in Hawaii as it does elsewhere. If legislation is actually deemed necessary, a task force is the best solution to create a fair and reasoned law which takes into consideration Hawaii's unique needs and traditions before a bill can even be proposed. This was the final suggestion of the legislative session of 2014.

The state already has thousands of pages of testimony from this and previous years stating the people of Hawaii want their home birth providers! Senators and House Representatives have received hundreds of phone calls asking the state to keep the laws off their bodies! Hours upon hours of emotional, verbal testimony from the people of Hawaii stating they will not support the medicalization of home birth as a whole. It is the legislation's duty to protect the desires of the people and the people have ALREADY spoken, en masse, several times RECENTLY! Please listen to your constituents and stop pushing legislation that limits services thoughtfully and intentionally sought out by a small percentage of individuals (less than 2% of the population is seeking an out of hospital birth). If you want to recognize the CPM certificate, then please do so, but not at the expense of all other out of hospital birth attendees. The uniqueness of Hawaii needs to be honored and upheld by its lawmakers.

Thank you for your kind consideration.

With Aloha,

Jaymie L. Lewis

Midwife, Doula, Lactation Specialist

P: 808-783-0361

sacredhealingarts@gmail.com

baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 7:23 PM
To: CPH Testimony
Cc: jadesky7@hotmail.com
Subject: *Submitted testimony for SB1312 on Feb 14, 2017 09:00AM*

LATE

SB1312

Submitted on: 2/13/2017

Testimony for CPH on Feb 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
natasha sky	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 8:06 PM
To: CPH Testimony
Cc: marisa.kahiau@gmail.com
Subject: Submitted testimony for SB1312 on Feb 14, 2017 09:00AM

LATE

SB1312

Submitted on: 2/13/2017

Testimony for CPH on Feb 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
marisa wriston	Individual	Oppose	No

Comments: I deeply believe that every woman should have the right to choose the way she feels is best to birth her child, this includes where and with whom. This is an issue of body sovereignty and reproductive choice. 1. SB1312 is highly problematic and needs to be opposed. It falsely treats out-of-hospital birthing as dangerous and is designed to control women's choices and the practice of midwifery by the medical establishment. It shows a lack of understanding for the midwifery model and the needs of the out-of-hospital birthing community. Hawaii has unique customs, traditions, and geographical considerations which do not always work with the conventional medical model and families deserve the choice. SB1312 as written will limit consumers legal options and criminalize some presently practicing midwives. There are too many problematic areas in this bill to simply amend sections.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 8:18 PM
To: CPH Testimony
Cc: md44@hawaii.edu
Subject: Submitted testimony for SB1312 on Feb 14, 2017 09:00AM

LATE

SB1312

Submitted on: 2/13/2017

Testimony for CPH on Feb 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
daniela	Individual	Comments Only	No

Comments: COMMENTS ONLY: My position is in support of licensure being an OPTION and available for Certified Professional Midwives (CPM) so long as it DOESN'T prohibit the practice of cultural and non NARM certified midwives. In other words, I think CPM licensure should be available; the same bill should make it clear that non NARM certified midwives can also practice without licensure. So, that cultural and otherwise trained midwives may continue to practice.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 9:58 PM
To: CPH Testimony
Cc: lana.olson@gmail.com
Subject: Submitted testimony for SB1312 on Feb 14, 2017 09:00AM

LATE

SB1312

Submitted on: 2/13/2017

Testimony for CPH on Feb 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Lana Olson	Individual	Oppose	No

Comments: Aloha Your Honor, I strongly oppose this bill because it will restrict the sovereignty of women over their bodies and their birthing choices, impinge on cultural traditions and practices and create cost prohibitive red tape for certified practical midwives so they will not be able to practice in their field and provide care to families in a sustainable way. Further it will place control over licensing and practice by the CPM's in the hands of conventionally trained medical establishment who are a) not well informed or trained on current midwifery practice, b) have a conflict of interest as the medical establishment may feel threatened professionally by competing ideologies, practices, practitioners and then not be able to make educated and unbiased determinations regarding midwifery. For these reasons, I humbly request you do not pass this bill. Mahalo!

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 13, 2017 10:47 PM
To: CPH Testimony
Cc: erika.lechugadisalvo@gmail.com
Subject: *Submitted testimony for SB1312 on Feb 14, 2017 09:00AM*

LATE

SB1312

Submitted on: 2/13/2017

Testimony for CPH on Feb 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Erika Lechuga Disalvo	Individual	Oppose	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

baker4 - Mary Kate

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 14, 2017 6:41 AM
To: CPH Testimony
Cc: hulamakalani@yahoo.com
Subject: Submitted testimony for SB1312 on Feb 14, 2017 09:00AM

LATE

SB1312

Submitted on: 2/14/2017

Testimony for CPH on Feb 14, 2017 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Makalani Franco-Francis	Individual	Oppose	No

Comments: I strongly oppose this bill. This bill must be re-written to include and protect TRADITIONAL HAWAIIAN MIDWIVES. Protection of Hawaiian practices are absolutely necessary.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov