

STAND. COM. REP. NO. 230-08

Honolulu, Hawaii

Feb 8, 2008

RE: H.B. No. 3352
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committees on Health and Human Services & Housing, to which was referred H.B. No. 3352 entitled:

"A BILL FOR AN ACT RELATING TO AN AUDIT OF THE HAWAII
DISABILITY RIGHTS CENTER,"

beg leave to report as follows:

The purpose of this measure is to require the Auditor to conduct a financial and management audit of the Hawaii Disabilities Rights Center, including the center's approach to resolving the conflict between a patient's right to privacy and the center's need for access to the patient's records.

Additionally, this measure appropriates funds for the Auditor to conduct the audit.

Your Committees received testimony in support of the measure from several concerned citizens. Testimony in opposition to this measure was received from the Hawaii Disability Rights Center.

Your Committees find that the Hawaii Disabilities Rights Center has been designated by the Governor under section 333F-8.5 to provide advocacy services to persons with developmental disabilities or mental illness. The center also receives state funding. Accordingly, your Committees find that an audit of the center is justified in order to determine whether the center is performing its mandate to provide those advocacy services. In particular, an audit is necessary to determine whether the

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center's access to the records of persons with developmental disabilities or mental illnesses go beyond the extent set by federal law.

Your Committees have amended this measure by changing the effective date to January 1, 2050 for the purposes of promoting continued discussion of the matter.

As affirmed by the records of votes of the members of your Committees on Health and Human Services & Housing that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 3352, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 3352, H.D. 1, and be referred to the Committee on Legislative Management.

Respectfully submitted on
behalf of the members of the
Committees on Health and Human
Services & Housing,



MAILE SHIMABUKURO, Chair



JOSHUA B. GREEN, M.D., Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 230-08

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 3352	Committee Referral: HLT/HSH, LMG, FIN	Date: 2-6-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. GREEN, Josh, M.D. (C)		✓		
2. MIZUNO, John (VC)		✓		
3. AWANA, Karen Leinani		✓		
4. BELATTI, Della Au		✓		
5. BERTRAM, Joe, III		✓		
6. CABANILLA, Rida T.R.				✓
7. RHOADS, Karl			✓	
8. SHIMABUKURO, Maile S. L.				✓
9. TOKIOKA, James Kunane		✓		
10. WARD, Gene, Ph.D.		✓		
TOTAL (10)		7	1	2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ committee acronym(s) did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				

