

Honolulu, Hawaii

April 25, 2008

RE: S.B. No. 3069  
S.D. 2  
H.D. 1  
C.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

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

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 3069, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO RECORDS OF DEFENDANTS COMMITTED TO A HOSPITAL CONTROLLED BY THE DIRECTOR OF HEALTH OR TO CUSTODY OF DIRECTOR OF HEALTH,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to expedite the records disclosure process for clinical evaluation purposes while protecting a patient's right of privacy by:

- (1) Making the county police departments responsible for providing to the Director of Health (Director) certain police records of defendants who are committed to a hospital under the control of the Director or to the custody of the Director; and



- (2) Providing the defendant with an opportunity to object to the release of records.

Your Committee on Conference upon further consideration has made the following amendments to S.B. No. 3069, S.D. 2, H.D. 1:

- (1) Deleted the provisions that allow the defendant to object to the release of records;
- (2) Inserted language that requires the county police departments to provide copies of all police reports to the Director of Health and the defendant that has been committed to the custody of the Director;
- (3) Changed the effective date to "upon its approval"; and
- (4) Made technical, nonsubstantive changes for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3069, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3069, S.D. 2, H.D. 1, C.D. 1.

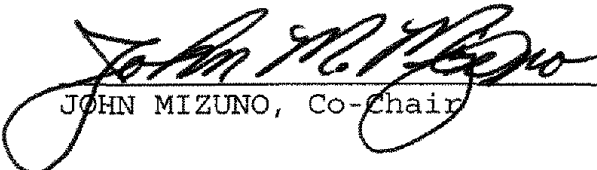
Respectfully submitted on behalf  
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE

  
BLAKE K. OSHIRO, Co-Chair

  
JOSHUA B. GREEN, M.D., Co-Chair

  
JOHN MIZUNO, Co-Chair

  
DAVID Y. IGE, Chair

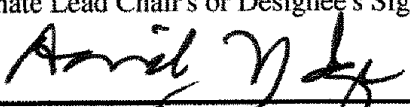

  
BRIAN T. TANIGUCHI, Co-Chair



Hawaii State Legislature

Record of Votes of a  
Conference Committee

CCR 161

Bill / Concurrent Resolution No.: <b>SB 3069, SD 2, HD 1</b>					Date/Time: 4/25/08 4:30p						
<input checked="" type="checkbox"/> The recommendation of the House and Senate managers is to pass with amendments (CD).											
<input type="checkbox"/> The Committee is reconsidering its previous decision.											
<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.						
Senate Managers		A	WR	N	E	House Managers		A	WR	N	E
IGE, David Y., Chr.		✓				OSHIRO, Blake K., Co-Chr.		✓			
TANIGUCHI, Brian T., Co-Chr.		✓				GREEN, Josh, M.D., Co-Chr.		✓			
BAKER, Rosalyn H.		✓				MIZUNO, John, Co-Chr.		✓			
WHALEN, Paul					✓	AWANA, Karen Leinani		✓			
						THIELEN, Cynthia					✓
TOTAL		3			1	TOTAL		4			1
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused				
Senate Recommendation is:						House Recommendation is:					
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted				<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted			
Senate Lead Chair's or Designee's Signature:						House Lead Chair's or Designee's Signature:					
											
Distribution:		Original		Yellow		Pink		Goldenrod			
		File with Conference Committee Report		House Clerk's Office		Senate Clerk's Office		Drafting Agency			