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# A BILL FOR AN ACT

RELATING TO THE CHILDREN'S JUSTICE PROGRAM.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 588-1.5, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "~~+~~ §588-1.5 ~~+~~ **Coordination function.** (a) The program  
4 shall promote the sharing of information among agencies  
5 providing services to the child and family, for purposes of  
6 implementing this chapter.

7           (b) All agencies and their providers that have information  
8 regarding the mental, physical health, or other information  
9 relating to the best interest of the child shall share the  
10 information among the agencies working with the child unless  
11 otherwise prohibited by federal or state statute or rule. No  
12 agency shall further disclose any confidential information  
13 unless written consent expressly authorizing further disclosure  
14 is obtained from the person who is the subject thereof, or  
15 disclosure is permitted by law.

16           (c) The following documents shall be confidential and  
17 shall not be disclosed, subject to the exceptions established in  
18 subsection (d):



1        (1) Documents that pertain to specifically identified  
2        cases or clients, including files, reports, notes,  
3        photographs, records, electronic and other  
4        communications, working papers, and recordings; and

5        (2) Documents that comprise client interview guidelines  
6        and other interview-related material, as well as all  
7        material used in training forensic interviewers.

8        (d) Confidential documents shall not be disclosed;  
9        provided that disclosure may be made to the following persons:

10       (1) Staff employed by the program and those agencies and  
11       providers directly involved in the investigation,  
12       treatment, case management, and legal processing of  
13       cases under this chapter;

14       (2) Medical and mental health professionals listed by name  
15       in a release of information signed by the guardian of  
16       the child; provided that the information shared shall  
17       be limited to that necessary to promote the physical  
18       or psychological health of the child, or to treat the  
19       child for abuse-related symptoms; and

20       (3) The court and those persons so authorized by a court  
21       order."



1           SECTION 2. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3           SECTION 3. This Act shall take effect upon its approval.



**Report Title:**

Children's Justice Program; Confidential Documents

**Description:**

Establishes the confidentiality of certain Children's Justice Program records, subject to exceptions for program and provider staff, mental and physical health professionals, and the courts.  
(SB112 HD1)

