
A BILL FOR AN ACT

RELATING TO HEALTH CARE DATA.

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

1 SECTION 1. Across the nation, health care information
2 technology initiatives are being set up to both improve health
3 care outcomes and better control costs. Health care
4 coordination can only improve when Health Insurance Portability
5 and Accountability Act of 1996 - regulated entities are able to
6 electronically share information.

7 As federal efforts are being undertaken in relation to data
8 sharing through the creation of health information exchanges,
9 one of the initial federal requirements is to harmonize federal
10 and state laws. Under current Hawaii administrative rules,
11 clinical laboratories in Hawaii may disclose lab results only to
12 the person who ordered the lab test, or their designee.

13 With many local efforts underway to facilitate the
14 implementation of patient-centered medical homes and accountable
15 care organizations, and the increased use of telehealth as well
16 as federal initiatives to build a functional health information
17 exchange, ensuring that health information may be shared to the
18 fullest extent allowed by federal law is a necessity.



1 The purpose of this Act is to update current law to ensure
2 the success of the many health care coordination projects
3 underway in the community and to enable the sharing of all
4 necessary medical information while complying with federal
5 privacy standards.

6 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§321- Clinical laboratory test results. (a) Clinical
10 laboratory test results shall be provided to authorized persons
11 for the purpose of populating a personal health record or an
12 electronic medical record and for any other purpose also
13 permitted under the Health Insurance Portability and
14 Accountability Act of 1996, et. seq., and federal regulations
15 promulgated thereunder.

16 (b) For purposes of this section "authorized persons"
17 means:

18 (1) The provider ordering the test or his or her designee;
19 and

20 (2) Any Health Insurance Portability and Accountability
21 Act of 1996, et. seq., entity or business associate as



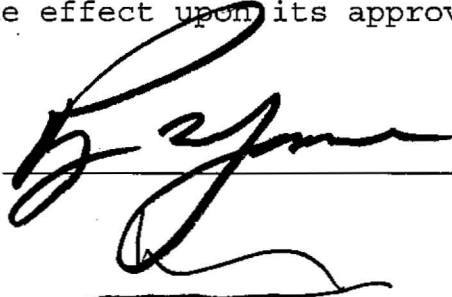
1 defined in 45 Code of Federal Regulations Parts 160-
2 164."

3 SECTION 3. New statutory material is underscored.

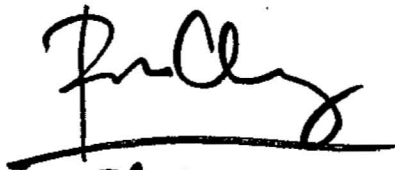
4 SECTION 4. This Act shall take effect upon its approval.

5

INTRODUCED BY:



















Report Title:

Confidentiality of Clinical Laboratory Data

Description:

Ensures that appropriate health care entities are able to receive lab data in electronic format to facilitate the use and development of health care exchange networks.

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