

JAN 22 2010

A BILL FOR AN ACT

RELATING TO INFORMATION PRACTICES.

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

1 SECTION 1. Section 92F-14, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The following are examples of information in which
4 the individual has a significant privacy interest:

5 (1) Information relating to medical, psychiatric, or
6 psychological history, diagnosis, condition,
7 treatment, or evaluation, other than directory
8 information while an individual is present at such
9 facility;

10 (2) Information identifiable as part of an investigation
11 into a possible violation of criminal law, except to
12 the extent that disclosure is necessary to prosecute
13 the violation or to continue the investigation;

14 (3) Information relating to eligibility for social
15 services or welfare benefits or to the determination
16 of benefit levels;

17 (4) Information in an agency's personnel file, or
18 applications, nominations, recommendations, or



1 proposals for public employment or appointment to a
2 governmental position, except:

3 (A) Information disclosed under section
4 92F-12(a)(14); and

5 (B) The following information related to employment
6 misconduct that results in an employee's
7 suspension or discharge:

8 (i) The name of the employee;

9 (ii) The nature of the [~~employment-related~~]
10 employment-related misconduct;

11 (iii) The agency's summary of the allegations of
12 misconduct;

13 (iv) Findings of fact and conclusions of law; and

14 (v) The disciplinary action taken by the agency;

15 when the following has occurred: the highest non-
16 judicial grievance adjustment procedure timely invoked
17 by the employee or the employee's representative has
18 concluded; a written decision sustaining the
19 suspension or discharge has been issued after this
20 procedure; and thirty calendar days have elapsed
21 following the issuance of the decision; provided that
22 this subparagraph shall not apply to a county police



- 1 department officer except in a case [which] that
2 results in the discharge of the officer;
- 3 (5) Information relating to an individual's
4 nongovernmental employment history except as necessary
5 to demonstrate compliance with requirements for a
6 particular government position;
- 7 (6) Information describing an individual's finances,
8 income, assets, liabilities, net worth, bank balances,
9 financial history or activities, or creditworthiness;
- 10 (7) Information compiled as part of an inquiry into an
11 individual's fitness to be granted or to retain a
12 license, except:
- 13 (A) The record of any proceeding resulting in the
14 discipline of a licensee and the grounds for
15 discipline;
- 16 (B) Information on the current place of employment
17 and required insurance coverages of licensees;
18 and
- 19 (C) ~~[The record of complaints including all~~
20 ~~dispositions;]~~ Complaints that have been resolved
21 against the licensee and resultant actions that
22 have been taken against the licensee;



1 (8) Information comprising a personal recommendation or
2 evaluation; and
3 (9) Social security numbers."

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

6 SECTION 3. This Act shall take effect upon its approval
7 and shall be repealed on July 1, 2014.

8

INTRODUCED BY:

R. D. J.



Report Title:

Public Documents; Privacy

Description:

Makes complaints that have been resolved against the licensee and resultant actions that have been taken against the licensee information in which an individual has a significant privacy interest. Effective on approval. Sunsets 7/1/2014.

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