
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 undertaken to improve health
3 care outcomes as well as better control costs. Health care
4 coordination can only improve when entities regulated by the
5 Health Insurance Portability and Accountability Act of 1996 are
6 able to share information electronically.

7 As federal efforts are being made to improve data sharing
8 through the creation of health information exchanges, one of the
9 initial federal requirements that must be satisfied is the
10 harmonization of federal and state laws.

11 With many local efforts underway to facilitate the
12 implementation of patient-centered medical homes and accountable
13 care organizations, and the increased use of telehealth as well
14 as federal initiatives to build a functional health information
15 exchange, it is necessary to ensure that health information is
16 shared to the fullest extent allowed by federal law. However,
17 under current Hawaii administrative rules, for example, clinical



1 laboratories in Hawaii may disclose lab results only to the
2 person who ordered the lab test, or their designee.

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

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

11 "§321- Clinical laboratory test results. (a) Clinical
12 laboratory test results shall be provided to authorized persons
13 for the purpose of populating a personal health record or
14 electronic medical record and for any other purpose permitted
15 under the Health Insurance Portability and Accountability Act of
16 1996, et. seq., and federal regulations promulgated thereunder.

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

19 (1) The provider ordering the test, or the provider's
20 designee; and

21 (2) Any Health Insurance Portability and Accountability
22 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 on July 1, 2020.



Report Title:

Clinical Laboratory Test Results; Privacy

Description:

Allows authorized health care entities to use clinical laboratory test results to populate personal health records or electronic medical records. Effective July 1, 2020. (HB2086 HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

