

Honolulu, Hawaii

Feb 26, 2010

RE: H.B. No. 2086
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2086, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE DATA,"

begs leave to report as follows:

The purpose of this bill is to keep Hawaii abreast of improvements in health information data sharing while complying with federal privacy standards by authorizing clinical laboratory test results to be provided to authorized persons for any purpose permitted under the Health Insurance Portability and Accountability Act of 1966 (HIPAA).

The Department of Health testified in opposition to this bill. The Hawaii Medical Service Association, Hawaii Pacific Health, Hawaii Health Information Exchange, Hawaii Association of Health Plans, and Hawaii Medical Association offered comments.

Your Committee has amended this bill by:

- (1) Authorizing, rather than requiring, clinical laboratory test results to be provided;
- (2) Authorizing the results to be provided to authorized persons for any purpose permitted under HIPAA;



- (3) Clarifying that authorized persons include any "covered entity" as defined under 45 Code of Federal Regulations Section 160.103 promulgated under HIPAA; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2086, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2086, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



JON RIKI KARAMATSU, Chair



