

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HAWAII 96801-3378

In reply, please refer to:  
File:

**SENATE COMMITTEE ON WAYS AND MEANS**

**S.B. 2611, S.D.1, Relating to Vital Statistics**

**Testimony of Chiyome Leinaala Fukino, M.D.  
Director of Health**

**February 23, 2010, 10:05 a.m.**

1 **Department's Position:** The Department of Health respectfully opposes the current draft. However,  
2 we are submitting a draft SD2 proposal for the committee's further consideration.

3 **Fiscal Implications:** Currently, verification will cost \$5, per record. Given recent figures provided to  
4 DOH by all 4 counties, there would be a need for verification of approximately 230,000 real property  
5 owners. However, if the proposed SD2 draft is accepted and adopted, the Department of Health's Vital  
6 Statistics Division shall: a) make a significant stride towards decreasing reliance on the general funding;  
7 and b) allow for the requested information to be provided to the counties at a minimal charge.

8 **Purpose and Justification:** In its current version, this measure proposes to perpetuate an outmoded and  
9 inefficient use of government resources and unnecessarily discloses confidential information on  
10 individuals to the counties. The county clerks and county real property assessment divisions maintain  
11 lists of eligible voters and real property owners with homeowners' tax exemptions. The county clerks  
12 want their lists to be current and contain only individuals who are alive and eligible to vote. The  
13 property tax assessors want their lists to be current and contain only real property owners who are still  
14 living to claim a homeowners' tax exemption. The Department of Health with the assistance of the  
15 legislature anticipated the need and developed a process called verification in lieu of certified

1 copies (HRS 338-18(g)) that directly addresses the needs of the county clerks and county real property  
2 assessors.

3 As a result of this statute, the State of Hawaii pioneered a nationally utilized process  
4 called Electronic Verification of Vital Events (EVVE). This process is extensively used across the  
5 nation by federal agencies such as the Social Security Administration, the State Department's Passport  
6 Office, and the Federal Office of Personnel Management and should be adapted for these purposes of  
7 this bill as well. The process is very simple, efficient, and accurate:

- 8 1) The requestor, at agreed upon intervals, submits an electronic list of names of  
9 individuals to the Department of Health (DOH) and;
- 10 2) DOH returns the names of all individuals on the list who have died.

11 This process is efficient because it searches for only names that are contained in the agencies' respective  
12 lists that have died. The process proposed by DOH is accurate because it is done by the state agency  
13 responsible for matching death records and acknowledged for its expertise in this process. The process  
14 proposed by the counties in SB2611 SD1 is inefficient and includes death information of individuals not  
15 on any of the agencies' lists.

16 We are submitting alternative language for SB 2611 SD1 that incorporates the process we have  
17 described above. In addition, we have proposed several other amendments that provide the means to  
18 support the process. This includes a change in the fee structure for verification that allows the DOH to  
19 charge a nominal fee for verifications. This flexibility should remove most barriers to the use of the  
20 verification process. The DOH long term goal is to make the statewide vital statistics system self-  
21 sufficient. We would like the statewide system to operate on the revenue they collect for their services  
22 through the vital statistics special improvement fund. The legislature eliminated all general funds from  
23 the vital statistics operating budget in FY 2010 and substituted special funds to operate the statewide  
24 system. We agree with this initiative to move toward self-sufficiency and would like to retain all the

1 fees we collect for certified copies and deposit the fees in our existing special improvement fund. We  
2 have incorporated these initiatives in our proposed amendments to SB 2611 SD1.

3 We appreciate your support of these amendments to improve and enhance the services that are  
4 vital statistics system provides to county clerks and county real property assessors.

5 Thank you for the opportunity to submit comments on this measure.

6 **SB2611 – Proposed SD2 Draft:**

7 SECTION 1. Section 338-4, Hawaii Revised Statutes, is amended to  
8 read as follows:

9 **"§338-4 Deaths reported to county clerks and real property**  
10 **assessment divisions.** [~~The department of health shall within six~~  
11 ~~weeks after the end of each month deliver, or forward by mail, to the~~  
12 ~~county clerk of each county a list of the names of all citizens of~~  
13 ~~voting age or over whose deaths have been recorded in the department~~  
14 ~~during each month. The list shall set forth such portion of the~~  
15 ~~information contained in the death record of each citizen whose death~~  
16 ~~is so reported as will be of assistance to the county clerk in~~  
17 ~~identification.] (a) The department of health shall, at agreed upon  
18 intervals, receive from the county clerk of each county an electronic  
19 list of the names of all citizens who are registered to vote in the  
20 State of Hawaii. The names on the list shall include the citizen's  
21 full name, date of birth, last four digits of the citizen's social  
22 security number, and the last known address of the citizen, if  
23 available. The department of health shall then provide electronic  
24 verification of death, including the date of death, to the county~~

1 clerk of each county, of any of the names on the list that match the  
2 death records kept by the department of health.

3 (b) The department of health shall, at agreed upon intervals,  
4 receive from the real property assessment divisions of each county an  
5 electronic list of the names of all individuals who are real property  
6 owners with homeowners' tax exemptions in the State of Hawaii. The  
7 names on the list shall include the individual's full name, date of  
8 birth, last four digits of the individual's social security number,  
9 and the last known address of the individual, if available. The  
10 department of health shall provide electronic verification of death,  
11 including the date of death, to the real property assessment  
12 divisions of each county, of any of the names on the list that match  
13 the death records kept by the department of health.

14 (c) Fees for verification shall be subject to section 338-14.3."

15 SECTION 2. Section 338-14.3, Hawaii Revised Statutes, is  
16 amended to read as follows:

17 **"§338-14.3 Verification in lieu of a certified copy. (a)**  
18 Subject to the requirements of section 338-4 and section 338-18, the  
19 department of health, upon request, shall furnish to any applicant,  
20 in lieu of the issuance of a certified copy, a verification of the  
21 existence of a certificate and any other information that the  
22 applicant provides to be verified relating to the vital event that  
23 pertains to the certificate.

1 (b) A verification shall be considered for all purposes  
2 certification that the vital event did occur and that the facts of  
3 the event are as stated by the applicant.

4 (c) Verification may be made in written, electronic, or other  
5 form approved by the director of health.

6 (d) The fee for a verification in lieu of a certified  
7 copy shall be a maximum of one half of the fee established in section  
8 338-14.5 for the first certified copy of a certificate issued.

9 (e) For verification of electronic lists the fee shall be no  
10 less than \$50 per request.

11 [~~(e)~~][f] Fees received for verifications in lieu of certified  
12 copies shall be remitted[~~, and one half of the fee~~] and shall be  
13 deposited to the credit of the vital statistics improvement special  
14 fund in section 338-14.6. [~~and the remainder of the fee shall be~~  
15 ~~deposited to the credit of the state general fund.~~]"

16 SECTION 3. Section 338-14.5, Hawaii Revised Statutes, is amended  
17 to read as follows:

18 "**§338-14.5 Copies of certificate; fees.** The fees for certified  
19 copies of birth, marriage, divorce, or death certificates issued by  
20 the department of health shall consist of \$10 for the first copy  
21 issued and \$4 for each copy issued thereafter. These fees shall be  
22 collected for each single request for certified copies. All fees  
23 received for the issuance of certified copies of birth, marriage,  
24 divorce, or death certificates shall be remitted to the director of

1 health. Upon the receipt of remittances under this section, the  
2 director of health shall deposit:

- 3 (1) \$1 for each certified copy to the credit of the spouse and  
4 child abuse special account established under section 346-  
5 7.5;
- 6 (2) \$1 for each certified copy to the credit of the spouse and  
7 child abuse special account established under section 601-  
8 3.6;
- 9 (3) \$1 for each certified copy to the credit of the domestic  
10 violence and sexual assault special fund established under  
11 section 321-1.3;
- 12 (4) [~~\$1~~] \$7 for [~~each~~] the first certified copy and \$1 for each  
13 certified copy ordered at the same time to the credit of  
14 the vital statistics improvement special fund established  
15 under section 338-14.6; and
- 16 (5) The remainder of the fee for each certified copy to the  
17 credit of the state general fund."

18 SECTION 4. Section 338-14.6, Hawaii Revised Statutes, is  
19 amended to read as follows:

20 **"§338-14.6 Vital statistics improvement special fund. (a)**

21 There is established within the state treasury a special fund to be  
22 known as the vital statistics improvement special fund. The fund  
23 shall be administered and expended by the department of health.

24 (b) Moneys in the fund shall be used by the department of  
25 health for the modernization and automation of the vital statistics

1 system in this State. [~~These proceeds shall not be used to supplant~~  
2 ~~any other moneys previously allocated to this program necessary for~~  
3 ~~the daily operation of the system of vital statistics.]~~

4 (c) The fund shall consist of fees remitted pursuant to  
5 [~~section~~] sections 338-4 and 338-14.5. All realizations of the fund  
6 shall be subject to the conditions specified in subsection (b)."

7 SECTION 5. Statutory material to be repealed is bracketed and  
8 stricken. New statutory material is underscored.

9 SECTION 6. This Act shall take effect on July 1, 2010.

10

**Bernard P. Carvalho, Jr.**  
Mayor



**Wallace Rezendes, Jr.**  
Director

**Gary K. Heu**  
Administrative Assistant

**Belma Baris**  
Deputy Director

**DEPARTMENT OF FINANCE**

**Real Property Assessment Division**

County of Kaua'i, State of Hawai'i  
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February 23, 2010

Honorable Donna Mercado Kim  
Chair, Senate Committee on Ways and Means  
Hawaii State Capitol, Room 211  
415 South Beretania Street  
Honolulu, HI 96813

Dear Chair Kim and Members:

**RE: SB 2611, SD 1 Relating to Vital Statistics**

The County of Kauai supports SB2611, SD 1 which would require the department of health, within six weeks of the last day of each month and at no charge, to provide each county's real property assessment division a list of all persons age eighteen and older whose deaths were recorded by the department during the previous month.

Under existing law, only the county clerks of each county are provided with a list of citizens of voting age or older whose deaths have been recorded in the department, for purposes of removing the name of any registered voter from the general county register. The county clerks are precluded by the State from sharing the list with any other county agencies or using it for any other purpose.

One additional change that we are requesting is to include the following or similar language in the proposed bill: "If the reported information of a deceased citizen matches the information of more than one taxpayer on a county's property assessment database and that county's real property assessment division notifies the department of health of that problem, the department of health shall provide the full social security number of that deceased taxpayer."

We respectfully urge your approval of this proposed amendment and thank you for the opportunity to testify on this matter.

Respectfully Submitted,

John W. Herring  
Real Property Administrator  
County of Kauai

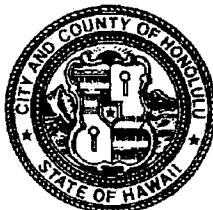


DEPARTMENT OF BUDGET AND FISCAL SERVICES

## CITY AND COUNTY OF HONOLULU

REAL PROPERTY ASSESSMENT DIVISION  
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February 23, 2010

Honorable Donna Mercado Kim,  
Chair, Committee on Ways and Means  
State Senate  
Hawaii State Capitol, Room 211  
415 South Beretania Street  
Honolulu, HI 96813

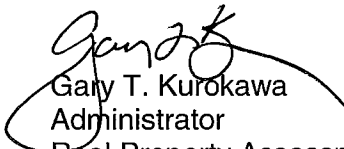
**RE: Proposed SB2611, SD1 - Relating to Vital Statistics**

The City and County of Honolulu supports SB2611, SD1, which would require the department of health, within six weeks of the last day of each month and at no charge, to provide each county's real property assessment division a list of all persons age eighteen and older whose deaths were recorded by the department during the previous month.

Under existing law, only the county clerks of each county are provided with a list of citizens of voting age or older whose deaths have been recorded in the department, for purposes of removing the name of any registered voter from the general county register. The county clerks are precluded by the State from sharing the list with any other county agencies or using it for any other purpose.

We respectfully urge your approval of this proposed amendment and thank you for the opportunity to testify on this matter.

Sincerely,

  
Gary T. Kurokawa  
Administrator  
Real Property Assessment Division

**From:** [Gina Williams](#)  
**To:** [kim4 - Travis](#)  
**Subject:** SB2611  
**Date:** Friday, February 19, 2010 3:09:10 PM

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Travis,  
Should emails like this be included in testimony?  
Check with Ross if not sure.  
Thank you, gina

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**From:** Kurokawa, Gary [mailto:[gkurokawa@honolulu.gov](mailto:gkurokawa@honolulu.gov)]  
**Sent:** Tuesday, February 16, 2010 1:38 PM  
**To:** Sen. Donna Mercado Kim  
**Subject:**

Honorable Donna Mercado Kim  
Chair, Committee on Ways and Means  
State Senate  
Hawaii State Capitol, Room 211  
415 South Beretania Street  
Honolulu, HI 96813

Chair Kim,

The City and County of Honolulu, representing the counties of the State of Hawaii is requesting a hearing before your Committee on Ways and Means of SB 2611 relating to Vital Statistics. SB 2611 requires the department of health, within six weeks of the last day of each month and at no charge, to provide each county's real property assessment division a list of all persons age eighteen and older whose deaths were recorded by the department during the previous month. This list would be used to update the real property assessment exemption program and remove those exemptions that have expired. Currently, many taxpayers mostly seniors are assessed a penalty for not reporting a change in status of their exemption claim. The counties would use the death list provided by the Department of Health to provide this service to the public.

The county clerks currently receive this list to update the voter registration file. The counties are requesting a copy of this list be provided to the assessment divisions or authorize the counties to make copies of the list provided to the clerk. Since the list is already available, no additional cost is associated with SB2611. Thank you for your considerations.

Gary Kurokawa, Administrator  
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