



GOV. MSG. NO. 1192

EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

April 27, 2012

The Honorable Shan Tsutsui, President
and Members of the Senate
Twenty-Sixth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Calvin Say, Speaker
and Members of the House
Twenty-Sixth State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

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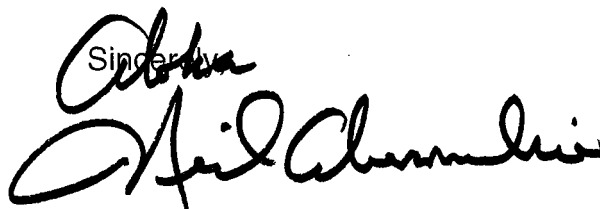
RECEIVED
SENATE
OFFICE OF THE PRESIDENT

Dear President Tsutsui, Speaker Say and Members of the Legislature:

Re: HB2537 HD2

I intend HB2537 HD2, entitled "RELATING TO DISCLOSURE OF RECORDS CONCERNING APPLICANTS AND RECIPIENTS OF HUMAN SERVICES AFTER AN IN CAMERA REVIEW BY THE COURT." to become law without my signature, pursuant to Section 16 of Article III of the State Constitution.

HB2537 HD2 has become law as Act 091 (12), effective April 25, 2012, without my signature.

Sincerely,


NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO DISCLOSURE OF RECORDS CONCERNING APPLICANTS AND
RECIPIENTS OF HUMAN SERVICES AFTER AN IN CAMERA REVIEW BY
THE COURT.

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

1 SECTION 1. Section 346-10, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The department and its agents shall keep records that
4 may be necessary or proper in accordance with this chapter. All
5 applications and records concerning any applicant or recipient
6 shall be confidential. The use or disclosure of information
7 concerning applicants and recipients shall be limited to:

- 8 (1) Persons duly authorized by the State or the United
9 States in connection with their official duties, when
10 the official duties are directly connected with the
11 administration of any form of public assistance,
12 medical assistance, food stamps, or social services;
- 13 (2) Purposes directly connected with any investigation,
14 prosecution, or criminal or civil proceeding conducted
15 in connection with the administration of any form of
16 public assistance, food stamps, medical assistance, or
17 social services, including disclosure by the



- 1 services, including health and mental health related
2 services needed;
- 3 (4) Disclosure to banks, financial institutions, or any
4 other payor of a public assistance warrant or check of
5 any information indicating that a public assistance
6 warrant or check honored by the bank, institution, or
7 payor has been forged or otherwise wrongfully
8 presented for payment;
- 9 (5) Federal agencies responsible for the administration of
10 federally assisted programs[+] that provide assistance
11 in cash or in kind for services directly to
12 individuals on the basis of need[+] and the
13 certification of receipt of assistance to needy
14 families with minor dependents to an employer for
15 purposes of claiming tax credit under Public Law 94-
16 12, the Tax Reduction Act of 1975, shall be permitted;
- 17 (6) Employees acting within the scope and course of their
18 employment of recognized social welfare organizations
19 as may be approved by the department;
- 20 (7) Purposes directly connected with any investigation,
21 prosecution, or criminal proceeding conducted in
22 connection with the licensure or operation of an adult



1 where the department has informed the recipient of the
2 circumstances in which the recipient's address may be
3 released under section 92F-19(a)(1), (3), or (4); [~~and~~
4 ~~(11)] (10) Disclosure of reports and records relating to
5 child abuse or neglect to the extent allowed by rules
6 adopted under section 350-1.4[-]; and
7 (11) Disclosure pursuant to a court order, after an in
8 camera review of the records by the court, upon a
9 showing of good cause by the party seeking the release
10 of the records."~~

11 SECTION 2. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 3. This Act shall take effect upon its approval.

APPROVED this day of , 2012

GOVERNOR OF THE STATE OF HAWAII

