

Honolulu, Hawaii

Feb 2, 2012

RE: H.B. No. 1957
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1957
entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify that persons and entities, governed by the federal Health Insurance Portability and Accountability Act of 1996, who use or disclose individually identifiable health information consistent with Health Insurance Portability and Accountability Act regulations, shall be deemed to be in compliance with Hawaii's privacy laws and rules.

The Office of the Governor; Hawaii Medical Service Association; Hawaii Health Information Corporation; American Physical Therapy Association, Hawaii Chapter; Hawaii Disability Rights Center; Healthcare Association of Hawaii; Hawaii Health Information Exchange; Consumer, Family, & Youth Alliance; and an individual testified in support of this measure. The Department of Health and Department of Commerce and Consumer Affairs commented on the measure.

Your Committee has amended this measure by deleting the provision that states that any notification of breach of unsecured protected health information provided in accordance with Health Insurance Portability and Accountability Act of 1996 regulations regarding notification of breach of unsecured protected health information under 45 Code of Federal Regulations, Part 164,

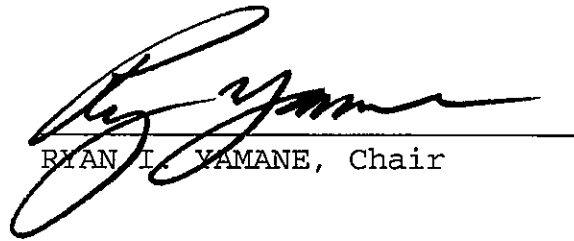
HB1957 HD1 HSCR HLT HMS 2012-1419



Subpart D, is deemed compliant with all state laws and rules governing notice of breach of protected health information. Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1957, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1957, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

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



RYAN I. YAMANE, Chair



