

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 1957
H.D. 2
S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1957, H.D. 2, S.D. 1, entitled:

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

begs leave to report as follows:

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

Your Committee received testimony in support of this measure from the Healthcare Association of Hawaii, Hawaii Association of Health Plans, Kaiser Permanente Hawaii, Hawaii Health Information Exchange, Hawaii Health Information Corporation, Hawaii Medical Service Association, and Hawaii Chapter of the American Physical Therapy Association.

Your Committee finds that there are approximately fifty statutory references to privacy, which are difficult for providers of care to understand and use. As HIPAA is considered to be the standard in the area of health care privacy, hinging compliance with state laws upon compliance with HIPAA will ensure that appropriate privacy protections are retained while facilitating the exchange of clinical information by providers through the



Hawaii Health Information Exchange, thereby improving the quality of care for patients.

Your Committee has amended this measure by changing the effective date from January 1, 2050, to upon approval.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1957, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1957, H.D. 2, S.D. 2.

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




CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1957, HD2, SD1	HTH, JDL	3/27/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
TOTAL	5			
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes