

HMSA

LATE TESTIMONY



All Independent Licensees of the Blue Cross and Blue Shield Association

March 27, 2012

The Honorable Clayton Hee, Chair
The Honorable Maile S. L. Shimabukuro, Vice Chair
Senate Committee on Judiciary and Labor

Re: HB 1957, HD2, SD1 – Relating to Health Care Information

Dear Chair Hee, Vice Chair Shimabukuro and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in support of HB 1957, HD2, SD1, which clarifies that the use and or disclosure of certain health information consistent with federal Health Insurance Portability and Accountability Act (HIPAA) regulations, is deemed to be in compliance with Hawaii's privacy laws and rules. However, we do have one suggested amendment.

Critical to Hawaii's success in creating an efficient health care system is the need for each individual's health care information to be efficiently shared amongst those persons and entities involved with the individual's health care. However, that efficiency must be balanced against the imperative to protect the individual's privacy. While HIPAA secured those privacy needs for each patient's personal health information with absolute, stringent requirements, the State has on its books a series of laws and rules governing that same set of information. That overlap creates an unnecessary burden for those involved with an individual's health care who need to share that information in an efficient manner. That has frustrated efforts to streamline the health care information system and, ultimately, delays efforts to make the health care system more cost effective and efficient. HB 1957, HD2, SD1 simply acknowledges that use of a patient's health care information in compliance with HIPAA's rigorous regulations also meets the requirements of our State's privacy laws and rules.

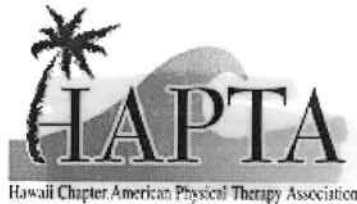
The Hawaii Health Information Exchange (HHIE) has made tremendous strides over the last two years to create that efficient, yet secure, system for the exchange of patients' health care information. HB 1957, HD2, SD1 will do much to reduce potential hurdles to achieving that goal. That said, the HHIE's efforts have been financed under a federal grant, and it is imperative that they report progress in a timely manner. Consequently, we suggest that this Bill be amended to become effective upon approval.

Thank for allowing us to testify in support of this measure. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'JD' followed by a flourish.

Jennifer Diesman
Vice President, Government Relations



Senate Committee on Judiciary and Labor
Tuesday, March 27, 2012
1:30 p.m.
Room 016

RE: HB 1957, HD2, SD1, RELATING TO HEALTH CARE INFORMATION

Good morning, Chair Hee, Vice-Chair Shimabukuro and members of the Committee. On behalf of the Hawaii Chapter, American Physical Therapy Association ("HAPTA"), we are in **support** of HB 1957, HD2, SD1, relating to health care information.

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

We believe that this measure is an important step toward ensuring that health care professionals are not liable for potential inconsistencies between federal law and Hawaii laws, which have not yet been harmonized.

HAPTA is a non-profit professional organization serving more than 250 member Physical Therapists and Physical Therapist Assistants. Our mission is to be the principal membership organization that represents and promotes the profession of Physical Therapy in the State of Hawaii.

Mahalo,

Ann Frost, P.T.
Legislative Committee Chair

c/o 841 Bishop Street, Suite 2100, Honolulu, Hawaii 96813