



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-SIXTH LEGISLATURE, 2012**

ON THE FOLLOWING MEASURE:
H.B. NO. 2072, H.D. 1, RELATING TO HEALTH.

BEFORE THE:
HOUSE COMMITTEE ON JUDICIARY

DATE: Tuesday, February 7, 2012 **TIME:** 2:00 p.m.
LOCATION: State Capitol, Room 325
TESTIFIER(S): David M. Louie, Attorney General, or
Jill T. Nagamine, Deputy Attorney General

Chair Keith-Agaran and Members of the Committee:

The Department of the Attorney General opposes this bill.

This bill would amend section 338-18, Hawaii Revised Statutes, with the stated intention of allowing the Department of Health to permit other state agencies to inspect and receive certified copies of vital records upon authorization of a person with a direct and tangible interest in the record. Such an amendment is unnecessary.

Current law allows the Department of Health to disclose vital records to those who have a direct and tangible interest in vital records as specified in section 338-18. Any of the people with a direct and tangible interest can already provide authorization for another person to acquire a certified copy of a vital record on their behalf. Section 338-18(b)(7) permits the Department of Health to issue certified copies of records to a person or agency acting on behalf of the registrant. One of the most notable and public examples of that occurring was reported in all of the country's major news outlets in April 2011 when the President of the United States made a written request to the Director of Health authorizing his personal counsel to be allowed to act in his behalf to obtain two copies of his birth certificate. The Director granted his request.

We respectfully request that this bill be held.