

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

LATE

LORETTA J. FUDDY, A.C.S.W., M.P.H.
DIRECTOR OF HEALTH

In reply, please refer to:
File:

HOUSE COMMITTEE ON HEALTH

HB 2555, Relating to Vital Statistics Fees

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health

February 7, 2012

1 **Department's Position:** The Department of Health strongly supports HB 2555.

2 **Fiscal Implications:** The DOH will use the increase in fees to keep pace with increased costs in the
3 operation, maintenance, and enhancement of the statewide vital statistics system and to fund federally
4 mandated initiatives to prevent identity fraud and increase national security. The current fee of \$10.00
5 has not been increased for 15 years (1997) and is half the amount charged by other states.

6 **Purpose and Justification:** House Bill 2555 is part of Governor Abercrombie's Administrative Package
7 and supports the New Day Agenda goals of investing in people and transforming government. This
8 proposal will reduce dependence on General Funds by adjusting user fees associated with vital statistics
9 certified copies and expedited and correction services.

10

11 The proposed adjustment in fees for certified copies of birth, death and marriage records is necessary to
12 fund requirements centered on the legal presence provisions of the REAL ID Act, especially to prevent
13 fraudulent use of these vital records. The State of Hawaii Driver License offices are scheduled to
14 implement provisions of the Act on March 5, 2012. Birth, marriage and death records are required
15 documentation for the issuance and renewal of drivers' licenses. The additional revenue from certified

1 copies will fund increased physical security of the storage of these records and the issuance of birth and
2 marriage records on enhanced security paper. Certified copies of marriage records are used to document
3 a change of name of the driver license after marriage. The matching of birth and death records and
4 indicating on the birth record that the person is deceased will prevent thieves from assuming the identity
5 of dead persons. Many of the enhanced security measures for State vital statistics offices were
6 recommended by the 9/11 Commission and outlined in the Intelligence Reform and Terrorism
7 Prevention Act of 2005. The expedited and correction service fees are proposed to fund enhanced
8 customer services resulting from increased demand for timely and accurate records and the increased
9 cost of providing these services.

10

11 The Department respectfully requests amended language to HB2555 that corrects an error in our original
12 proposal. Our goal is to preserve the existing dollar amounts diverted to various special funds and the
13 general fund, with the balance of additional fees deposited to the Vital Statistics special fund. The
14 amended language fixes the bill so that the additional \$5 for the first certified copy and an additional \$1
15 for subsequent copies are credited to the Department of Health to support the training and
16 implementation of REAL ID and reduce dependence on General Funds.

17

18 Thank you for the opportunity to present testimony in strong support of HB 2555.

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(proposed DOH amendment, Feb 7, 2012)

A BILL FOR AN ACT

RELATING TO VITAL STATISTICS FEES.

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

1 SECTION 1. Chapter 338, Hawaii Revised Statutes, is
2 amended by adding to part I a new section to be appropriately
3 designated and to read as follows:

4 "§338- **Fees for expedited copies or special services.**
5 A \$50 fee shall be charged for expedited certified copy service
6 or any services that require special attention for birth, death,
7 and marriage records that are already registered and accepted by
8 the department. The department shall keep an account of all
9 fees collected and shall deposit them to the vital statistics
10 improvement special fund."

11 SECTION 2. Section 338-14, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§338-14 Fees for certified copies and searches;**
14 **transcripts or other statistical summaries of vital records for**
15 **National Center for Health Statistics; certified copies for**
16 **veterans and others; and corrections on vital statistics**
17 **certificates.** (a) The department of health shall establish

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(proposed amendment, Feb 7, 2012)

1 reasonable fees to be paid for certified copies of certificates;
2 provided that the department shall furnish, free of charge, a
3 certified copy of any of the records, or a certification of
4 birth, to any veteran of the armed forces of the United States,
5 the veteran's wife, any member of the immediate family of a
6 veteran or the next of kin of a deceased veteran, when required
7 for use in connection with a claim based on service in the armed
8 forces of the United States. Subject to sections 338-16, 338-
9 17, and 338-18, the National Center for Health Statistics may
10 obtain transcripts and statistical summaries on computer tapes
11 of certificates or, without payment of fees, certified copies;
12 provided the State is put to no expense in connection therewith.

13 A [~~reasonable~~] \$25 fee shall be charged for any correction
14 in the items on a vital statistics certificate initiated by the
15 registrant or the registrant's parent or representative if the
16 registrant is a minor.

17 (b) The department [~~may prescribe reasonable fees~~] shall
18 charge \$10 for searches of files and records not involving the
19 issuance of certified copies.

20 (c) The department shall keep an account of all fees
21 collected and shall deposit them to the [~~general fund of the~~
22 ~~State~~] vital statistics improvement special fund, except as

1 provided in sections 321-1.3, 338-14.5, 338-14.6, 346-7.5, and
2 601-3.6.

3 (d) ~~[Any fee established by the department pursuant to~~
4 ~~this section shall be adopted in accordance with chapter 91.]~~ In
5 establishing a fee, the amount shall ~~[be sufficient to]~~ cover
6 the expenses involved in ~~[searching for, cost of a copy of, or~~
7 ~~correction of the certificate, file, or record, as the case may~~
8 ~~be. The department may raise the fees up to ten per cent per~~
9 ~~year without being subject to the provisions of chapter 91.]~~ the
10 registration, processing, and issuance of vital records."

11 SECTION 3. Section 338-14.5, Hawaii Revised Statutes, is
12 amended to read as follows:

13 "**§338-14.5 Copies of certificate; fees.** The fees for
14 certified copies of birth, marriage, divorce, or death
15 certificates issued by the department of health shall consist of
16 ~~[\$10]~~ \$15 for the first copy issued and ~~[\$4]~~ \$5 for each copy
17 issued thereafter. These fees shall be collected for each
18 single request for certified copies. All fees received for the
19 issuance of certified copies of birth, marriage, divorce, or
20 death certificates shall be remitted to the director of health.
21 Upon the receipt of remittances under this section, the director
22 of health shall deposit:

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(proposed amendment, Feb 7, 2012)

1 (1) \$1 for each certified copy to the credit of the spouse
2 and child abuse special account established under
3 section 346-7.5;

4 (2) \$1 for each certified copy to the credit of the spouse
5 and child abuse special account established under
6 section 601-3.6;

7 (3) \$1 for each certified copy to the credit of the
8 domestic violence and sexual assault special fund
9 established under section 321-1.3;

10 (4) [~~\$1~~] \$6 for each first certified copy to the credit of
11 the vital statistics improvement special fund
12 established under section 338-14.6; ~~and~~

13 ~~(5) The remainder of the fee for each certified copy to~~
14 ~~the credit of the state general fund.~~

15 (5) \$2 for each subsequent certified copy to the credit of
16 the vital statistics improvement special fund
17 established under section 338-14.6; and

18 (6) \$6 for each first certified copy to the credit of the
19 state general fund."

20 SECTION 5. Statutory material to be repealed is bracketed
21 and stricken. New statutory material is underscored.

22 SECTION 6. This Act shall take effect upon its approval.

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(proposed amendment, Feb 7, 2012)

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INTRODUCED BY: _____

3

BY REQUEST

HB2555

(proposed amendment, Feb 7, 2012)

Report Title:

Health; Vital Statistics Fees

Description:

Raises the fees associated with vital statistics certified copy and expedited and correction services.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.



To: The Honorable Ryan Yamane, Chair
The Honorable Dee Morikawa, Vice-Chair
HOUSE COMMITTEE ON HEALTH

L A T E

From: Veronika Geronimo, Executive Director
Hawaii State Coalition Against Domestic Violence

RE: HB2555 – COMMENTS ONLY

Hearing Date and Time: Tuesday, February 7, 2012 @ 10AM

Good morning Chair Yamane, Vice-Chair Morikawa, and members of House Committee on Health. Thank you for the opportunity to provide comments to HB2555. The Hawai'i State Coalition Against Domestic Violence is a statewide coalition of domestic violence service providers, our mission is to engage communities and organizations to end domestic violence through education, advocacy, and action for social justice.

HB2555 amends Section 338-14.5, Hawaii Revised Statutes by increasing the fees for certified copies of birth, marriage, divorce, or death certificates issued by the department of health from \$10 to of \$15 for the first copy issued, and \$4 to \$5 for each copy issued thereafter. The bill also increases the amount that would be deposited into the vital statistics improvement special fund, from \$1 to \$2 for each certified copy.

We respectfully request that the bill be amended to continue the even distribution of fees increases between the vital statistics improvement special fund and:

- (A) The domestic violence and sexual assault special fund under the department of health in section 321-1.3;
- (B) The spouse and child abuse special account under the department of human services in section 346-7.5; and
- (C) The spouse and child abuse special account under the judiciary in section 601-3.6.

These special funds support various domestic violence, child abuse, and sexual assault intervention and prevention programs within the Department of Health, Department of Human Services and under the Judiciary. Contributions to this fund have had a significant impact and have supported:

- The creation of public awareness and education campaigns related to violence against women and children;
- Community programs statewide that provide survivors support, advocacy and legal assistance;

- Task forces on each island made up of government and community organizations, businesses, and educational institutions, who collaborate on strategies to decrease domestic violence;
- Violence prevention activities that help shift attitudes and beliefs that perpetuate abuse;
- Training opportunities on the dynamics of domestic violence for faith-based organizations, health care providers, employers and other community members and organizations; and
- Fatality Review Team, Family Court Symposium Training for judges, teen dating abuse program, shelters, Family Strengthening Services, Child Death Review, Family Visitation Center, and others.

Over the last year, more than 80 percent of local domestic violence programs reported an increased demand for their services. While the need for programs that assist victims increased however, domestic violence programs reported decreases in funding. At a time of limited government resources, alternative sources of funding that support domestic violence programs and raise awareness and prevent future violence are critical. We hope you will consider investing revenues from HB2555 in the special accounts mentioned above and support vital programs.

Thank you for your consideration.