NEIL ABERCROMBIE GOVERNOR OF HAWAII



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

In reply, please refer to:

House Committee on Finance

SB2709, HD1 RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION

Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H. Director of Health March 30, 2012

- 1 Department's Position: Strong support.
- 2 Fiscal Implications: Fees for the verification of birth, death and marriage records are established by law
- 3 under section 338-14.3(d).
- 4 Purpose and Justification:
- 5 The purpose of this bill is to allow the Department of Health to disclose dates of vital events to
- 6 governmental agencies within the State of Hawaii seeking to verify information to update official lists of
- 7 persons more quickly, efficiently and accurately. Many government agencies within the State of Hawaii
- 8 maintain lists of people who receive public benefits, tax exemptions, or other government services. To
- 9 discontinue these benefits, exemptions, or government services, the governmental agency must verify
- that the recipient has died and record the date of death. The proposed amendment to section 338-18(g)
- would allow the Department of Health to disclose the date of death to governmental agencies within the
- 12 State in addition to the current verification process.
- 13 Thank you for the opportunity to present testimony in strong support of the passage of this bill.

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PATRICIA McMANAMAN DIRECTOR

BARBARA A. YAMASHITA DEPUTY DIRECTOR

STATE OF HAWAII DEPARTMENT OF HUMAN SERVICES P. O. Box 339 Honolulu, Hawaii 96809

March 30, 2012

TO:

The Honorable Marcus R. Oshiro, Chair

House Committee on Finance

FROM:

Patricia McManaman, Director

SUBJECT:

S.B. 2709, H.D. 1 - RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN

THE STATE OF HAWAII THAT REQUEST VERIFICATION

Hearing:

Friday, March 30, 2012; 3:00 p.m.

Conference Room 308, State Capitol

PURPOSE: The purpose of this bill is to amend section 338-18, Hawaii

Revised Statutes, to allow the Department of Health to disclose dates of vital events to governmental agencies within the State of Hawaii seeking verification of information contained in vital statistics records for purposes of updating official lists.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) strongly supports this Administration bill that would allow the Department of Health to share the dates of vital events with governmental agencies.

This bill will eliminate barriers and allow DHS to receive necessary vital statistics information that will enable DHS to stop paying for services for deceased persons. DHS provides services to individuals such as medical assistance. These particular services are provided by managed care health plans that are paid on a capitated basis. These payments continue until DHS learns that a recipient is no

longer eligible or has died. Without receiving a date of death, DHS cannot recover payments made following the date of death and can only stop payments prospectively.

Thank you for the opportunity to provide testimony on this bill.



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

ON THE FOLLOWING MEASURE:

S.B. NO. 2709, H.D. 1,RELATING TO FURNISHING THE DATE OF VITAL EVENTS TO GOVERNMENTAL AGENCIES WITHIN THE STATE OF HAWAII THAT REQUEST VERIFICATION.

BEFORE THE:

HOUSE COMMITTEE ON FINANCE

DATE:

Friday, March 30, 2012

TIME: 3:00 p.m.

LOCATION:

State Capitol, Room 308

TESTIFIER(S): David M. Louie, Attorney General, or

Jill T. Nagamine, Deputy Attorney General

Chair Oshiro and Members of the Committee:

The Department of the Attorney General strongly supports this bill.

The Department of Health collects, compiles, and preserves data pertaining to vital events, and is mandated to protect the integrity of that data by limiting access or disclosure of that data to only those with a direct and tangible interest in the data. Subject to the confidentiality provisions specified in section 338-18, Hawaii Revised Statutes, the Department of Health is authorized by statute to verify the existence of vital record information that an applicant provides to be verified. The proposed amendment to section 338-18(g) would allow the Department of Health to also disclose the dates of vital events to governmental agencies within the State of Hawaii via the verification process, upon the request of the governmental agency.

Governmental agencies or organizations are currently entitled to obtain verification of vital events for purposes of updating their official lists. However, verification is essentially a "matching" of information that is already in the possession of the applicant, and does not provide any additional data that the applicant does not first provide. For government agencies that maintain lists of people who receive public benefits, tax exemptions, or other government services, it is important to update lists of recipients with dates of vital events in order to verify or discontinue eligibility for benefits, exemptions, or services.

This bill will enable the Department of Health to provide dates of vital events to assist governmental agencies within the State to determine eligibility for public benefits, correctly

Testimony of the Department of the Attorney General Twenty-Sixth Legislature, 2012 Page 2 of 2

assess taxes, and discontinue services on behalf of deceased persons. This will limit fraud and increase the amount of available funds for those who are alive and actually need those funds. This bill includes provisions that would limit the scope of the disclosure to governmental agencies within the State of Hawaii.

We respectfully request that the committee pass this bill.