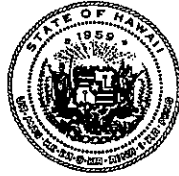


NEIL ABERCROMBIE
GOVERNOR OF HAWAII



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

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

In reply, please refer to:
File:

House Committee on Consumer Protection and Commerce

**SB 2825, SD1, HD1, RELATING TO THE HAWAII IMMUNIZATION
REGISTRY**

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

March 19, 2012, 2:00 p.m.

1 **Department's Position:** The Department of Health strongly supports this administration bill.

2 **Fiscal Implications:** None. No state funds are required to implement this proposal. The Hawai'i
3 Immunization Registry (HIR) is supported by a U.S. Centers for Disease Control and Prevention
4 Immunizations and Vaccines for Children grant.

5 **Purpose and Justification:** HIR is a secure, confidential, computerized system that has the capability
6 to store immunization information for individuals of all ages in the State of Hawai'i. HIR benefits
7 individuals and families by consolidating immunization records. In the event that persons move or
8 change health care providers, HIR allows new providers to access an individual's immunization history,
9 ensuring that patients receive the immunizations that they need while preventing the receipt of
10 unnecessary doses of vaccines. HIR benefits public health by providing the Department with the ability
11 to monitor the uptake of new vaccines, identify under-immunized populations, and evaluate targeted
12 immunization-related programs and interventions.

13 The intent of this proposal is to enable health insurer access to their member or subscriber data in
14 HIR for the limited purpose of producing immunization assessment reports. The ability to efficiently
15 share the immunization data of respective members or subscribers with insurers could potentially assist

1 insurers in formulating strategies to improve immunization rates in their member populations, and
2 ultimately aid in the prevention of vaccine-preventable diseases in Hawai'i.

3 The additional statutory change requested would allow for the inclusion of minimal patient
4 demographic information in HIR to enable the system to automatically identify patients that have elected
5 to refuse participation in HIR ("opt-out"). Currently, individuals and parents/guardians indicate their
6 refusal to participate by completing a Hawaii Immunization Registry Opt-Out Form, which requests the
7 provision of the patient first, middle, and last names, date of birth, as well as other information such as
8 patient address, phone number and parent/guardian name, used for patient identification purposes.
9 Minimally, required demographic information consists of the person's first, middle, and last names, and
10 date of birth. Social Security numbers are not stored in HIR. Because the Department is currently
11 unable to store this minimal information in HIR, individuals and parents/guardians are responsible for
12 notifying all subsequent immunization providers of their decision to opt-out of participation in HIR.
13 Should individuals neglect to convey this information, the statutory change requested would enable the
14 Department to develop the technical safeguards necessary to prevent the inadvertent data entry or data
15 transfer of restricted information into HIR. The minimal demographic information stored in HIR is for
16 Department use only and would be non-displaying to HIR authorized users. The Department respects
17 the rights of individuals to refuse participation in HIR and supports this legislative proposal as a means
18 to ensure more thorough privacy protection for those that have elected to opt-out.

19 Thank you for the opportunity to testify on this important measure.

HMSA



An Independent Licensee of the Blue Cross and Blue Shield Association

March 19, 2012

The Honorable Robert N. Herkes, Chair
The Honorable Ryan I. Yamane, Vice Chair
House Committee on Consumer Protection and Commerce

Re: SB 2825, SD1, HD1 – Relating to the Hawaii Immunization Registry

Dear Chair Herkes, Vice Chair Yamane and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in support of SB 2825, SD1, HD1. This Bill will authorize health plans to access the immunization registry specifically for the purpose of generating immunization assessment reports so that we may help our members maintain better health conditions and prevent more dangerous and costly episodes of illness.

Keeping our members healthy through personal attention and preventive care is the cornerstone of our new model of health care delivery for our members - the patient centered medical home. Our vision is to have the primary care provider work on an individual health care regime for each of our members, including appropriate and acceptable immunizations. Taking personal responsibility and preventive measures will help minimize the opportunity for each member to endure more severe and costly health conditions.

In conjunction with this health care model, we now have incorporated incentives for providers who have met measures of success in helping our members improve their health status through preventive steps. Having access to the immunization registry is a critical factor in measuring that success.

The importance of preventive measures, including immunizations, was not better highlighted than in the Affordable Care Act (ACA). While many of the other elements of the federal health care reform will not be realized until 2014, the ACA mandated preventive health services with no cost-sharing within the first six months of the ACA's enactment, September 2010. In Hawaii, the State Administration, working with the Hawaii Association of Health Plans, reenergized the statewide school-located flu vaccination program, further exemplifying the commitment to preventive health and an appropriate immunization program.

Thank you the opportunity to testify in support of SB 2825, SD1, HD1. We appreciate the State Administration's understanding of the importance of this measure, and your favorable consideration also is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read 'JD'.

Jennifer Diesman
Vice President, Government Relations



AlohaCare

For a healthy Hawaii.

March 19, 2012
2:00 pm
Conference Room 325

To: The Honorable Robert N. Herkes, Chair
The Honorable Ryan I. Yamane, Vice Chair
House Committee on Consumer Protection and Commerce

From: Paula Arcena, Director of Public Policy
Robert Toyofuku, Government Affairs

Re: SB2825, SD1, HD1 Relating to the Hawaii Immunization Registry

Thank you for the opportunity to testify on this measure.

AlohaCare **supports** SB2825, SD1, HD1 which would allow health insurers to access immunization data of our health plan members from the Hawaii Immunization Registry. Currently, health plans are not allowed access to the registry.

As you are aware, immunizations are an important preventive health measure and have been made more accessible outside the confines of a provider's clinic. The Department of Health's Stop Flu in School program is an example of significantly increasing access to childhood immunization by bringing flu shots to school campuses during school hours to provide easy access.

As a Medicaid health plan, AlohaCare is judged for its ability to make health care services, such as immunizations, available to its members. Allowing health plan to have access to the Immunization Registry will allow us to better assess the needs of our members and how we can best meet them.

AlohaCare is a non-profit, Hawaii based health plan founded in 1994 by Hawaii's community health centers to serve low-income families and medically vulnerable members of our community through government sponsored health insurance programs. We serve beneficiaries of Medicaid and Medicare on all islands.

Thank you for this opportunity to testify.

The House of Representatives
Committees on Consumer Protection & Commerce
and on Judiciary
March 19, 2012
2:00 p.m. Room 325

Statement of the Hawaii Carpenters Union on SB 2785, SD 2, HD 1

The Hawaii Carpenters Union supports the passage of SB 2785, to establish a regulatory framework for the development of interisland electric cable connectivity.

The basic reasons remain the same as extensively discussed during the 2011 legislative session:

- Energy security, both for basic survival, and for a “smart grid” to address more common episodes of power outages in any one part of our State.
- Energy self-sufficiency, cutting dependence on primarily foreign oil by connecting alternate energy sources to centers of jobs and population.
- Taking first, far sighted steps towards providing consumers affordable energy, as oil based sources become unpredictably more expensive.

On the one hand we want to avoid the worst case scenario where our extraordinary dependence on imported oil causes Hawaii to be economically noncompetitive relative to other regions of the world. Whether operating a hotel, making bread, or building housing, uncontrollable oil price increases can put our economic activity at a disadvantage.

On the other hand, we can strive to achieve conditions of relatively “cheap energy” versus the world, given our potential for alternate energy production. Connecting those energy sources with energy usage can further economic self sufficiency and related jobs. For example, recycling of materials currently shipped out of Hawaii, light manufacturing, or processing and packaging of agricultural products, could become feasible here at home. Resulting production jobs would allow kamaaina to stay in Hawaii.

The Bill does not call for State funding, instead taking initial steps towards letting potential private finance entities to know what to expect. Rate making and other regulation would be through the PUC. Finally, the Bill does not mandate the development of alternate energy resources, such as wind farms, in any specific location.

Substantial investments are required now to arrive at energy self-sufficiency later. We urge that one step be taken by passing SB 2785.



Committee: Committee on Consumer Protection & Commerce
Committee on Judiciary
Hearing Date/Time: Monday, March 19, 2012, 2:00 p.m.
Place: Room 325
Re: Testimony of the ACLU of Hawaii in Opposition to S.B. 2825, S.D.1, H.D. 1, Relating to Immunization

Dear Chairs Herkes and Keith-Agaran and Members of the Committees on Consumer Protection & Commerce and Judiciary:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in opposition to S.B. 2825, S.D. 1, H.D. 1. Medical information is arguably the most personal and private source of data about us and privacy protections are of paramount importance. When the Immunization Registry was first established, the ACLU of Hawaii was repeatedly assured that stringent regulations would be in place to protect registrants' privacy. S.B. 2825 would erode those protections by allowing health insurers access to specific individuals' medical information without consent.

Rigorous safeguards to ensure the confidentiality of the information must be in place so that immunization information cannot be used improperly to harass and/or discriminate against individuals who have not received immunizations. Some privacy concerns could be allayed by amending this bill to make the database an opt-in system, which requires individuals to act affirmatively, *e.g.*, sign a consent form, in order to be included in the program.

Immunizations are an area of medicine that is fraught with controversy. Some may choose not to follow the recommendations of the relevant medical body, *e.g.*, the American Academy of Pediatrics. Others may decline immunizations on religious grounds. In either case, an individual exercises his or her fundamental rights when declining immunizations personally or for his or her children. S.B. 2825 must contain proper safeguards to ensure that the state does not unduly interfere with registrants' fundamental rights, including freedom of religion, the right to personal autonomy and the right to rear one's children.

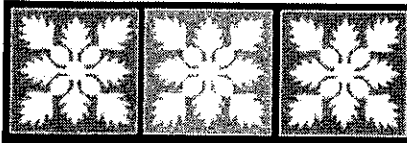
The ACLU of Hawaii's mission is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions through legislation, litigation, and public education programs statewide. The ACLU of Hawaii, a non-partisan and private non-profit organization, has provided its services at no cost to the public and without the use of government funds for over 45 years,

Thank you for this opportunity to testify.

American Civil Liberties Union of Hawaii
P.O. Box 3410
Honolulu, Hawaii 96801
T: 808.522.5900
F: 808.522.5909
E: office@acluhawaii.org
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Laurie A. Temple
Staff Attorney

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Hawaii Association of Health Plans

March 19, 2012

The Honorable Robert Herkes, Chair
The Honorable Ryan I. Yamane, Vice Chair

House Committee on Commerce & Consumer Protection

Re: SB 2825 SD1 HD1 – Relating to the Hawaii Immunization Registry

Dear Chair Herkes, Vice Chair Yamane, and Members of the Committee:

My name is Richard Jackson and I am chair of the Public Policy Committee of the Hawaii Association of Health Plans (HAHP). HAHP is a non-profit organization consisting of eight (8) member organizations: AlohaCare, HMAA, HMSA, HWMG, Kaiser Permanente, MDX Hawai'i, UHA, and UnitedHealthcare. Our mission is to promote initiatives aimed at improving the overall health of Hawaii. HAHP is also active participants in the legislative process. Before providing any testimony, all HAHP member organizations must be in unanimous agreement of the statement or position.

HAHP appreciates the opportunity to testify in support of SB 2825 SD1 HD1 which will allow health plans to access the immunization registry in order to generate immunization assessment reports. These reports will provide information on which vaccines a member has received or are overdue, as well as allow the plans to monitor and improve the health of its members.

As the Committee may already know, the Department of Health's Stop Flu at School program is a vaccination program that supplies the influenza vaccine at participating schools statewide. This \$1 million plus annual program lost Federal support this year. HAHP's financial support of Stop Flu at School will permit this program to continue, and HAHP feels that it is imperative that health plans have access to the immunization registry so that we have an accurate medical record for each of our insured keiki, as well as for our adult members. In order to comply with the program's vaccine ordering and accountability procedures, it is important that our member organizations are able to see how many of our members participate in the program so that we can better prepare for the future.

HAHP believes that by giving health plans access to the immunization registry, we will better be able to advocate for preventative care and the health of our members. Thank you for the opportunity to testify in support of SB 2825 SD1 HD1 today.

Sincerely,

Richard Jackson
Chair, Public Policy Committee



94-450 Mokuola Street, Suite 106, Waipahu, HI 96767
808.675.7300 | www.ohanahealthplan.com

Monday, March 19, 2012

To: The Honorable Robert N. Herkes
Chair, House Committee on Commerce and Consumer Protection

From: 'Ohana Health Plan

Re: Senate Bill 2825, Senate Draft 1, House Draft 1-Relating to the Hawai'i
Immunization Registry

Hearing: Monday, March 19, 2012, 2:00 p.m.
Hawai'i State Capitol, Room 325

'Ohana Health Plan is managed by a local team of experienced health care professionals who embrace cultural diversity, advocate preventative care and facilitate communications between members and providers. Our philosophy is to place members and their families at the center of the health care continuum.

'Ohana Health Plan is offered by WellCare Health Insurance of Arizona, Inc. WellCare provides managed care services exclusively for government-sponsored health care programs serving approximately 2.6 million Medicaid and Medicare members nationwide. 'Ohana has been able to take WellCare's national experience and that of our local team to develop an 'Ohana care model that addresses local members' health care, long-term care and care coordination needs.

We appreciate this opportunity to testify in support of Senate Bill 2825, Senate Draft 1, House Draft 1-Relating to the Hawai'i Immunization Registry.

The purpose of this bill is to authorize the Department of Health to allow limited health insurer access to the Hawai'i immunization registry, as well as authorizes the Hawai'i immunization registry to store minimal demographic information for individuals who have elected to refuse inclusion in the Hawai'i immunization registry.

Providing health plans limited access to the registry for the purpose of producing immunization assessment reports will assist in our ability to formulate strategies to assess and improve access to immunizations for our members, a key component in our efforts to promote and increase preventive health strategies.

Thank you for this opportunity to submit testimony in support of Senate Bill 2825, Senate Draft 1, House Draft 1-Relating to the Hawai'i Immunization Registry.