
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. The legislature finds that timely access to
2 accurate medical information is critical to providing the best
3 medical care to an individual. However, the sharing of an
4 individual's medical information between agencies can sometimes
5 be difficult and time-consuming under current laws. In some
6 cases, individuals themselves need to physically transfer their
7 medical information between agencies because these agencies are
8 bound by privacy laws and are hesitant to share medical
9 information.

10 The purpose of this Act is to make it easier and faster for
11 agencies to share medical information by allowing the department
12 of health to share medical information with other state
13 departments and agencies upon authorization of an individual
14 with a tangible interest in the medical information.

15 SECTION 2. Section 338-18, Hawaii Revised Statutes, is
16 amended by amending subsection (b) to read as follows:

17 "(b) The department shall not permit inspection of public
18 health statistics records, or issue a certified copy of any such



1 record or part thereof, unless it is satisfied that the
2 applicant has a direct and tangible interest in the record. The
3 following persons shall be considered to have a direct and
4 tangible interest in a public health statistics record:

- 5 (1) The registrant;
- 6 (2) The spouse of the registrant;
- 7 (3) A parent of the registrant;
- 8 (4) A descendant of the registrant;
- 9 (5) A person having a common ancestor with the registrant;
- 10 (6) A legal guardian of the registrant;
- 11 (7) A person or agency acting on behalf of the registrant;
- 12 (8) A personal representative of the registrant's estate;
- 13 (9) A person whose right to inspect or obtain a certified
14 copy of the record is established by an order of a
15 court of competent jurisdiction;
- 16 (10) Adoptive parents who have filed a petition for
17 adoption and who need to determine the death of one or
18 more of the prospective adopted child's natural or
19 legal parents;
- 20 (11) A person who needs to determine the marital status of
21 a former spouse in order to determine the payment of
22 alimony;



- 1 (12) A person who needs to determine the death of a
- 2 nonrelated co-owner of property purchased under a
- 3 joint tenancy agreement; [~~and~~]
- 4 (13) A person who needs a death certificate for the
- 5 determination of payments under a credit insurance
- 6 policy[-]; and
- 7 (14) A state agency that has received the written
- 8 authorization of the person who has a right to inspect
- 9 or obtain a certified copy of the record that is
- 10 requested by the state agency."

11 SECTION 3. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 4. This Act shall take effect upon its approval.

14

INTRODUCED BY: *Karen Curina*
Bob Lukens
JAN 24 2013

H.B. NO. 1270

Report Title:

Health; Vital Statistics; Public Health Records

Description:

Allows the Department of Health to share records with other State departments and agencies upon authorization of a person with a tangible interest in the record.

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

