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## A BILL FOR AN ACT

RELATING TO REPORTING DEATHS TO STATE AGENCIES.

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

1           SECTION 1. The legislature finds that some governmental  
2 agencies within the State that keep official lists of persons,  
3 in the ordinary course of the agency's activities, need to know  
4 when members of their list have died so that they can, for  
5 example, discontinue providing benefits. Although section 338-  
6 18(g), Hawaii Revised Statutes, allows the department of health  
7 to verify information contained in vital statistics records by  
8 employing a process that matches its vital statistics  
9 information with information provided by agencies, that process  
10 cannot be used by state agencies whose lists are confidential  
11 under federal law.

12           The legislature also finds that it is unlawful for the  
13 department of health to disclose information contained in  
14 confidential vital statistics records, except as authorized by  
15 law. Allowing the department of health to report deaths to  
16 state agencies that maintain official lists that are  
17 confidential under federal law would assist state agencies to



1 maximize the accuracy of their official lists and avoid  
2 overpaying benefits and wasting public funds.

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

6 "§338- Deaths reported to state agencies. (a) The  
7 department of health, within six weeks after the end of each  
8 quarter or other agreed upon period, shall deliver to a state  
9 agency a list of the names of all persons whose deaths have been  
10 recorded by the department during that period; provided that  
11 this section shall only apply to a state agency that:

12 (1) Maintains official lists of persons in the ordinary  
13 course of the agency's activities and is prohibited by  
14 federal law from sharing information from the lists;  
15 and

16 (2) Has requested the information from the department  
17 pursuant to a written agreement.

18 The department shall determine the form and format of providing  
19 the information to the agency.

20 (b) In response to an agency's first request pursuant to  
21 subsection (a), the department may provide a list of the persons  
22 whose deaths were recorded by the department during an agreed



1 upon period in the past. The list shall set forth the full name  
 2 of the decedent and the dates of the decedent's birth and death,  
 3 if known. The department may charge a reasonable fee to cover  
 4 its cost of providing the list. If a state agency requires  
 5 further information, the department may provide a certified copy  
 6 of the death certificate to that state agency, subject to the  
 7 requirements of section 338-14.5.

8 (c) Any state agency that obtains a list of the names of  
 9 all persons whose deaths have been recorded by the department  
 10 pursuant to this section shall use the list only for the  
 11 purposes for which it was obtained and shall not further  
 12 disclose any information on the list."

13 SECTION 3. New statutory material is underscored.

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

15

INTRODUCED BY:



**By Request**

JAN 24 2013



# H.B. NO. 1439

**Report Title:**

Vital Records; Reporting Deaths to State Agencies

**Description:**

Authorizes the DOH to disclose lists of names of persons whose deaths have been recorded by the department to state agencies that need to update official lists of persons, but that are prohibited by federal law from disclosing their lists to the DOH for verification.

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

