
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 on their lists 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, pursuant to this
9 section, a list of the names of persons whose deaths have been
10 recorded by the department 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 on July 1, 2050.



Report Title:

Vital Records; Reporting Deaths to State Agencies

Description:

Authorizes the Department of Health (DOH) to disclose lists of names of persons whose deaths have been recorded by DOH, to state agencies that maintain official lists of persons and are prohibited by federal law from sharing information from the lists. Effective July 1, 2050. (HB1439 HD1)

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