
A BILL FOR AN ACT

RELATING TO THE DISCLOSURE OF PUBLIC HEALTH STATISTICS RECORDS
TO LAW ENFORCEMENT OFFICERS.

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

1 SECTION 1. Section 338-18, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) The department shall not permit inspection of public
4 health statistics records, or issue a certified copy of any such
5 record or part thereof, unless it is satisfied that the
6 applicant has a direct and tangible interest in the record. The
7 following persons shall be considered to have a direct and
8 tangible interest in a public health statistics record:

- 9 (1) The registrant;
- 10 (2) The spouse of the registrant;
- 11 (3) A parent of the registrant;
- 12 (4) A descendant of the registrant;
- 13 (5) A person having a common ancestor with the registrant;
- 14 (6) A legal guardian of the registrant;
- 15 (7) A person or agency acting on behalf of the registrant;
- 16 (8) A personal representative of the registrant's estate;



- 1 (9) A person whose right to inspect or obtain a certified
2 copy of the record is established by an order of a
3 court of competent jurisdiction;
- 4 (10) Adoptive parents who have filed a petition for
5 adoption and who need to determine the death of one or
6 more of the prospective adopted child's natural or
7 legal parents;
- 8 (11) A person who needs to determine the marital status of
9 a former spouse in order to determine the payment of
10 alimony;
- 11 (12) A person who needs to determine the death of a
12 nonrelated co-owner of property purchased under a
13 joint tenancy agreement; [~~and~~]
- 14 (13) A person who needs a death certificate for the
15 determination of payments under a credit insurance
16 policy[~~-~~]; and
- 17 (14) A law enforcement officer, as defined by section 710-
18 1000(13), who needs public health statistics records
19 as evidence in a criminal investigation; provided that
20 the law enforcement officer requesting the public
21 health statistics records provides identification and
22 submits to the department a signed statement



- 1 verifying, under penalty of criminal prosecution for
2 false swearing in official matters, that the:
3 (A) Officer is a law enforcement officer as defined
4 by section 710-1000(13);
5 (B) Officer is acting in the officer's official
6 capacity;
7 (C) Officer is an employee of the State or county;
8 and
9 (D) Public health statistics records are needed as
10 evidence in a criminal investigation."

11 SECTION 2. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 3. This Act shall take effect on July 1, 2050.



Report Title:

Public Health Statistics Records; Disclosure

Description:

Includes law enforcement officers among persons having a direct and tangible interest in public health statistics records to facilitate their inspection and acquisition of such records for criminal investigations. Effective July 1, 2050. (HB783 HD1)

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