

JAN 24 2013

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

11           The legislature also finds that it is unlawful for the  
12 department of health to disclose information contained in  
13 confidential vital statistics records except as authorized by  
14 law. Allowing the department of health to report deaths to  
15 state agencies that maintain official lists which are  
16 confidential according to federal laws would assist state  
17 agencies to maximize the accuracy of their official lists and  
18 thus avoid overpaying benefits and wasting public funds.



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

4 "§338- Deaths reported to state agencies. The  
5 department of health shall upon request and pursuant to a  
6 written agreement, within six weeks after the end of each  
7 quarter or other agreed upon term, deliver, in a format of its  
8 choosing, to state agencies within the State who maintain  
9 official lists of persons in the ordinary course of the  
10 agencies' activities and who are prohibited by federal law from  
11 sharing information from their lists, a list of the names of all  
12 persons whose deaths have been recorded in the department during  
13 that term. In response to an agency's first request, the  
14 department may provide a list of the persons whose deaths were  
15 recorded in the department during an agreed upon period in the  
16 past. The list shall set forth the full name of the decedent  
17 and the dates of the decedent's birth and death, if known. The  
18 department shall be allowed to charge reasonable fees to cover  
19 its costs of providing the list. If the state agencies require  
20 further information, the department is authorized to provide a  
21 certified copy of the death certificate to the state agency,  
22 subject to the provisions of section 338-14.5. The state



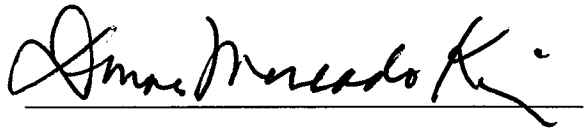
1 agencies that obtain a list of the names of all persons whose  
2 deaths have been recorded in the department pursuant to this  
3 section shall use the list only for the purposes for which it  
4 was obtained and shall not otherwise disclose further any  
5 information on the list."

6 SECTION 3. New statutory material is underscored.

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

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INTRODUCED BY:



**By Request**



# S.B. NO. 1377

**Report Title:**

Vital Records; Reporting Deaths to State Agencies

**Description:**

Authorizes the department of health to disclose lists of names of persons whose deaths have been recorded in the department to state agencies within the State that need to update official lists of persons but that are prohibited by federal law from disclosing their lists to the department of health 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.*

