
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 list shall set forth the full name of the decedent and the
19 dates of the decedent's birth and death, if known. The
20 department and the requesting agency shall determine the form
21 and format of providing the information to the agency.



1 (b) In response to an agency's first request pursuant to
2 subsection (a), the department may provide a list of the persons
3 whose deaths were recorded by the department during an agreed
4 upon period in the past. The department may charge a reasonable
5 fee to cover its cost of providing the list. If a state agency
6 requires further information, the department may provide a
7 certified copy of the death certificate to that state agency,
8 subject to the requirements of section 338-14.5.

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

14 (d) The department may develop and implement or assist
15 with the development and implementation of a systems interface
16 to electronically provide the information required pursuant to
17 subsection (a) to a state agency."

18 SECTION 3. New statutory material is underscored.

19 SECTION 4. This Act shall take effect upon its approval
20 and shall be repealed on July 1, 2016.



Report Title:

Vital Records; Reporting Deaths to State Agencies

Description:

Authorizes the Department of Health to disclose, including through electronic means, 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. Sunsets on July 1, 2016.

(HB2262 HD1)

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