
A BILL FOR AN ACT

RELATING TO COMPLIANCE WITH THE HEALTH INSURANCE PORTABILITY AND
ACCOUNTABILITY ACT.

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

1 SECTION 1. The purpose of this Act is to promote
2 compliance with information privacy and security provisions of
3 the Health Insurance Portability and Accountability Act of 1996
4 (HIPAA; Public Law 104-191) and the related HIPAA Privacy Rule
5 and HIPAA Security Rule.

6 The department of health is considered a covered entity for
7 purposes of HIPAA compliance and, as such, is required to
8 designate:

9 (1) A privacy official responsible for the development and
10 implementation of privacy-related policies and
11 procedures per 45 Code of Federal Regulations section
12 164.530(a)(1); and

13 (2) A security official responsible for the development
14 and implementation of security management policies and
15 procedures per 45 Code of Federal Regulations section
16 164.308(a)(2).



1 SECTION 2. Chapter 321, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§321- Information privacy and security. (a) The
5 department of health shall establish the following two permanent
6 or temporary positions for the purpose of department compliance
7 with federal information privacy and security rules:

8 (1) Privacy officer; and

9 (2) Security officer.

10 (b) The director of health may appoint the privacy officer
11 and security officer without regard to chapter 76; provided that
12 the exemption from chapter 76 shall expire three years after the
13 effective date of Act _____, Session Laws of Hawaii 2014, unless
14 affirmatively extended by an act of the legislature; thereafter
15 the director of health shall appoint the privacy officer and
16 security officer pursuant to chapter 76."

17 SECTION 3. In codifying the new section added by section 2
18 of this Act, the revisor of statutes shall insert the
19 appropriate Act number of this Act.



- 1 SECTION 4. New statutory material is underscored.
- 2 SECTION 5. This Act shall take effect on July 1, 2050.



Report Title:

Department of Health; Health Insurance Portability and
Accountability Act; Compliance

Description:

Requires the Department of Health to establish permanent or temporary privacy officer and security officer positions in compliance with federal information privacy and security laws. Temporarily exempts the privacy officer and security officer positions from civil service. Effective July 1, 2050. (HB2299 HD2)

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