



GOV. MSG. NO. 1186

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 21, 2016

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Eighth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Eighth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on June 21, 2016, the following bill was signed into law:

HB2311 SD1

RELATING TO REPORTING DEATHS TO STATE
AGENCIES
ACT 085 (16)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

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
6 338-18(g), Hawaii Revised Statutes, allows the department of
7 health to verify information contained in vital statistics
8 records by 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. Act 27, Session Laws of Hawaii 2014, is amended
4 by amending section 2 to read as follows:

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

8 "§338- Deaths reported to state agencies. (a)
9 Notwithstanding section 338-18, the department of health, within
10 six weeks after the end of each quarter or other agreed upon
11 period, shall deliver to a state agency a list of the names of
12 all persons whose deaths have been recorded by the department
13 during that period; provided that this section shall only apply
14 to a state agency that:

- 15 (1) Maintains official lists of persons in the ordinary
16 course of the agency's activities and is prohibited by
17 federal law from sharing information from the lists;
18 and
- 19 (2) Has requested the information from the department
20 pursuant to a written agreement.

1 The list shall set forth the full name of the decedent [and],
2 the dates of the decedent's birth and death, and the last four
3 digits of the decedent's social security number, if known. The
4 department and the requesting agency shall determine by
5 agreement the form and format of providing the information to
6 the agency.

7 (b) In response to an agency's first request pursuant to
8 subsection (a), the department of health may provide a list of
9 the persons whose deaths were recorded by the department during
10 an agreed upon period in the past. The department may charge a
11 reasonable fee to cover its cost of providing the list. If a
12 state agency requires further information, the department may
13 provide a certified copy of the death certificate to that state
14 agency, subject to the fees required under section 338-14.5.

15 (c) Any state agency that obtains, pursuant to this
16 section, a list of the names of persons whose deaths have been
17 recorded by the department of health shall use the list only for
18 the purposes for which it was obtained and shall not further
19 disclose any information on the list.

20 (d) The department of health may develop and implement or
21 assist with the development and implementation of a systems



1 interface to electronically provide the information required
2 pursuant to subsection (a) to a state agency."

3 SECTION 3. Act 27, Session Laws of Hawaii 2014, is amended
4 by amending section 4 to read as follows:

5 "SECTION 4. This Act shall take effect upon its approval
6 and shall be repealed on July 1, [~~2016-~~] 2018."

7 SECTION 4. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 5. This Act shall take effect on June 30, 2016.

10

APPROVED this 21 day of JUN, 2016



GOVERNOR OF THE STATE OF HAWAII

