

---

---

## A BILL FOR AN ACT

RELATING TO RECORDS OF THE HAWAII HEALTH SYSTEMS CORPORATION.

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

1           SECTION 1. Section 323F-6, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§323F-6 Records.** (a) The corporation and each regional  
4 system board shall be subject to the requirements of chapter  
5 92F, except that the following categories of government records  
6 shall not be required to be disclosed:

- 7           (1) Applications for credentials or staff privileges at  
8           any of the corporation's medical facilities, records  
9           from peer review proceedings, and medical records; and
- 10          (2) Marketing strategies, strategic plans, evaluations,  
11          assessments, negotiations, or rates and charges, the  
12          disclosure of which would raise the cost of  
13          procurement or give a manifestly unfair advantage to  
14          any competitor or to any person or entity seeking to  
15          do business or proposing to enter into an agreement  
16          with a regional system board, the corporation, or any  
17          of its facilities.



## H.B. NO. IIII

1 Any person denied access to any such government records  
2 shall have available the remedies specified in sections 92F-15  
3 and 92F-15.5. Government records protected from disclosure by  
4 this section shall be subject to the interagency disclosure  
5 provisions of section 92F-19. Section 624-25.5 shall apply to  
6 this part notwithstanding anything to the contrary contained in  
7 this section.

8 (b) The corporation shall have the authority to set rates  
9 for copies of records protected by this section from the  
10 disclosure requirements of chapter 92F. In the case of medical  
11 records subpoenaed from any of the corporation's regional system  
12 facilities, copies shall be paid for by the requester in an  
13 amount based on the facility's actual cost of preparation, which  
14 shall be no less than \$1 per page and no more than \$2 per page."

15 SECTION 2. This Act does not affect rights and duties that  
16 matured, penalties that were incurred, and proceedings that were  
17 begun before its effective date.

18 SECTION 3. New statutory material is underscored.

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

20

INTRODUCED BY:

*Allen A. Bhatti*

JAN 27 2015



# H.B. NO. IIII

**Report Title:**

Hawaii Health Systems Corporation; Copies of Records; Fees

**Description:**

Authorizes the Hawaii Health Systems Corporation to set rates for copies of records that are protected from the disclosure requirements of Chapter 92F, Hawaii Revised Statutes. Establishes rates for copies of medical records at the actual cost of preparation within minimum and maximum rates.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

