

Honolulu, Hawaii

APR 04 2016

RE: H.B. No. 2311  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Eighth State Legislature  
Regular Session of 2016  
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred  
H.B. No. 2311, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REPORTING DEATHS TO STATE  
AGENCIES,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize the  
Department of Health to continue for two more years to disclose  
lists of names and partial social security numbers of persons  
whose deaths have been recorded by the Department to state  
agencies that maintain official lists of persons and are  
prohibited by federal law from sharing information from the lists.

Your Committee received testimony in support of this measure  
from the Department of Health and Hawaii Employer-Union Health  
Benefits Trust Fund. Your Committee received comments on this  
measure from the Grassroot Institute of Hawaii.

Your Committee finds that although the Department of Health  
is allowed to verify information contained in vital statistics  
records by employing a process that matches its vital statistics  
information with information provided by agencies, that process  
cannot be used by state agencies whose lists are confidential  
under federal law. The Department of Health is also prohibited  
from disclosing information in confidential vital statistics  
records, except as provided by law. Act 27, Session Laws of  
Hawaii 2014 (Act 27), is one such law that authorizes the  
Department of Health to disclose, upon request, the names of



persons whose deaths have been recorded by the Department to state agencies that maintain official lists of persons and are prohibited from federal law from sharing information from the lists. However, Act 27 is scheduled to sunset on July 1, 2016.

Your Committee further finds that some governmental agencies within the State that keep official lists of persons need to know when members on their lists have died. This notification of death is important in maintaining the integrity of certain programs, such as Medicaid, by stopping unnecessary payments to contracted managed care health plans on behalf of deceased individuals. By allowing the Department of Health to continue to report deaths to state agencies that maintain official lists that are confidential under federal law, this measure assists state agencies to maximize the accuracy of their official lists and avoid overpaying benefits and wasting public funds.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2311, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,

  
GILBERT S.C. KEITH-ASARAN, Chair



