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To: House Committee on Judiciary

From: Cheryl Kakazu Park, Director

Date: February 16, 2016, 2:00 p.m.
State Capitol, Conference Room 325

Re: Testimony on H.B. No. 1111, H.D. 1
Relating to Records of the Hawaii Health Systems Corporation

Thank you for the opportunity to submit testimony on this bill. The Office of Information Practices (“OIP”) takes no position this bill, which would authorize the Hawaii Health Systems Corporation (“HHSC”) to set rates for copies of records that are statutorily made exempt from disclosure under the Uniform Information Practices Act (“UIPA”), chapter 92F, HRS, and establish rates for copies of subpoenaed medical records. OIP offers comments on the provision allowing HHSC to set its own rates for copies of the specified non-public records.

The essential effect of this provision would be to allow HHSC to act similarly to a private facility in charging individuals for copies of their medical records, credential applications, and other specified records. Some of those records would otherwise be considered personal records under the UIPA when requested by the individual a record is about (such as a patient asking for a copy of his or her medical record), and personal records must be provided without additional charges beyond copy fees. Thus, while other state and county agencies are not allowed to charge fees to search for, review, and segregate personal records, this bill would grant HHSC the freedom to act in a way comparable to private health care facilities

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in setting rates for copies of the specified records. As this matter is a policy call for the Legislature, OIP takes no position on this bill.

Thank you for the opportunity to testify.