



## **HAWAII HEALTH SYSTEMS**

C O R P O R A T I O N

*Quality Healthcare For All*

**House Committee on Health  
Representative Della Au Belatti, Chair  
Representative Richard P. Creagan, Vice Chair**

Friday, February 6, 2015  
Conference Room 329  
8:40 a.m.  
Hawaii State Capitol

**Testimony Supporting House Bill 1111, Relating to Records of the Hawaii Health Systems Corporation.**

Linda Rosen, M.D., M.P.H.  
Chief Executive Officer  
Hawaii Health Systems Corporation

Thank you for the opportunity to submit testimony in support of HB 1111. The purpose of this bill is to establish minimum and maximum fees for copies of medical records from Hawaii Health Systems Corporation (HHSC) and to authorize HHSC to set rates for copies of records exempt from Chapter 92F, Hawaii Revised Statutes.

The copying of medical records is a labor-intensive process, one that entails specialized training to carefully scrutinize information in compliance with health care privacy and confidentiality regulations. Additionally, medical records often contain documents that are not uniform in size or shape due to the varied forms required and produced by medical tests or procedures. This causes each page to have to be numbered and handled individually in the duplication process. It is not as simple as feeding a stack of papers into an automatic document feeder on a copying machine. These factors cause the cost to prepare a copy of a medical record at an HHSC facility to be conservatively estimated to be at least \$1.09 per page. Recent challenges to this cost have resulted in litigation, consuming valuable time and resources of the facility. This bill, by allowing HHSC to establish rates for copies of medical records, will help to prevent future litigation over these costs. It will also help to reduce the amount of losses experienced by HHSC facilities.

The bill conservatively sets the default price at one dollar per page and allows a facility to establish a higher cost up to two dollars per page by evaluating the actual costs. This measure will reduce litigation, saving the tax payers thousands of dollars.

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[www.hhsc.org](http://www.hhsc.org) <<http://www.hhsc.org>>

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Hawaii Health Systems Corporation  
Testimony for HB1111

Your consideration of this request would be greatly appreciated. Thank you for the opportunity to submit testimony.

# OFFICE OF INFORMATION PRACTICES

STATE OF HAWAII  
NO. 1 CAPITOL DISTRICT BUILDING  
250 SOUTH HOTEL STREET, SUITE 107  
HONOLULU, HAWAII 96813  
TELEPHONE: 808-586-1400 FAX: 808-586-1412  
EMAIL: oip@hawaii.gov

To: House Committee on Health

From: Cheryl Kakazu Park, Director

Date: February 6, 2015, 8:40 a.m.  
State Capitol, Conference Room 329

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

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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.

House Committee on Health  
Representative Della Au Belatti, Chair  
Representative Richard P. Creagan, Vice Chair

DATE: Friday, February 06, 2015  
TIME: 8:40 a.m.  
PLACE: Conference Room 329  
State Capitol  
415 South Beretania Street

Testimony Supporting House Bill 1111, Relating to the Records of the Hawaii Health Systems Corporation.

Wesley P. Lo  
Regional Chief Executive Officer, Maui Region  
Hawaii Health Systems Corporation

Thank you for the opportunity to submit testimony in support of HB 1111. The purpose of this bill is to authorize 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. It establishes rates for copies of medical records at the actual cost of preparation within minimum and maximum rates.

The Maui Region has had to face challenges to the costs associated with copying medical records. The copying of medical records is a labor intensive, painstaking process due to the complexity of health care privacy regulations and the varying sizes and shapes of the medical records. These are not documents that can be fed into auto feed bins on copying machines. Each and every page of the record must be numbered and examined in order to ensure regulatory compliance.

We have conservatively estimated that the cost of replicating a page of a medical record is at least \$1.09 and we are not able to collect that amount. As a result, HHSC/the State are supplementing the reproduction costs related to these medical records.

The bill conservatively sets the default price at one dollar per page and allows a facility to establish a higher cost up to two dollars per page by evaluating the actual costs. This measure will reduce litigation, and allow the facilities to recoup amounts closer to the actual costs associated with reproducing these records, thereby saving the tax payers thousands of dollars.

Your consideration of this request would be greatly appreciated. Thank you for the opportunity to submit testimony.

creagan3 - Karina

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From: mailinglist@capitol.hawaii.gov  
Sent: Thursday, February 05, 2015 10:53 AM  
To: HLTtestimony  
Cc: smcfarland@hhsc.org  
Subject: \*Submitted testimony for HB1111 on Feb 6, 2015 08:40AM\*

**HB1111**

Submitted on: 2/5/2015

Testimony for HLT on Feb 6, 2015 08:40AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Scott McFarland	Individual	Support	Yes

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov  
Sent: Wednesday, February 04, 2015 9:46 PM  
To: HLTtestimony  
Cc: psgegen@hotmail.com  
Subject: Submitted testimony for HB1111 on Feb 6, 2015 08:40AM

**HB1111**

Submitted on: 2/4/2015

Testimony for HLT on Feb 6, 2015 08:40AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
pat gegen	Kauai Regional Board - HHSC	Support	No

Comments: The Kauai Regional Board believes HB1111 to be a prudent and responsible action and we support his initiative.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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