



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
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WRITTEN TESTIMONY

**Testimony in SUPPORT OF SB2883  
RELATING TO AMENDING IDENTITY OF REGISTRANT'S PARENT ON A BIRTH  
CERTIFICATE**

SENATOR GILBERT S.C. KEITH-AGARAN, CHAIR  
SENATE COMMITTEE ON JUDICIARY AND LABOR  
Hearing Date: February 26, 2016                      Room Number: 016

1    **Fiscal Implications:** None.

2    **Department Testimony:** The Department of Health **strongly supports** SB2883, which is part  
3    of the Governor's Bill Package.

4    SB2883 clarifies that amendments to birth certificates that change or establish parenthood may  
5    only be made by DOH pursuant to a court order or pursuant to a legal establishment of  
6    parenthood pursuant to chapter 584, HRS.

7    The department has recently been compelled to amend or establish parenthood based on chapter  
8    92F, HRS, "Uniform Information Practices Act" (UIPA), which DOH contends is inappropriate  
9    legal authority. Not only does this create parallel and conflicting standards for amending the  
10    birth certificate, but parental rights can be established and terminated without affording affected  
11    parties due process.

12    Furthermore, section 92F-2, HRS, describes the purpose of UIPA is to support the State's policy  
13    "...that the formation and conduct of public policy – the discussions, deliberations, decisions,  
14    and action of government agencies – shall be conducted as openly as possible." The section  
15    further states, "This chapter shall be applied and construed to promote its underlying purposes  
16    and policies, which are to:

17        (1) Promote the public interest in disclosure;

- 1 (2) Provide for accurate, relevant, timely, and complete government records;
- 2 (3) Enhance governmental accountability through a general policy of access to government
- 3 records;
- 4 (4) Make government accountable to individuals in the collection, use, and dissemination of
- 5 information relating to them; and
- 6 (5) Balance the individual privacy interest and the public access interest, allowing access
- 7 unless it would constitute a clearly unwarranted invasion of personal privacy.”

8 The amendment or establishment of parenthood on a birth certificate clearly does not satisfy the  
9 preceding five purposes and policies.

10 Thank you for the opportunity to provide written testimony.

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