

JAN 25 2017

A BILL FOR AN ACT

RELATING TO THE HEALTH CARE PRIVACY HARMONIZATION ACT.

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

1 SECTION 1. The purpose of this Act is to identify the
2 circumstances in which the State has a compelling interest in
3 the use and disclosure of de-identified protected health
4 information under the Health Care Privacy Harmonization Act. It
5 is not the intent of the legislature to foreclose other
6 circumstances in which the State may similarly have a compelling
7 interest in the use or disclosure of this information.

8 SECTION 2. Chapter 323B, Hawaii Revised Statutes, is
9 amended by adding a new section to be appropriately designated
10 and to read as follows:

11 "§323B- Uses and disclosures of de-identified protected
12 health information. Uses and disclosures of de-identified
13 protected health information shall be subject to the
14 requirements under 45 Code of Federal Regulations section
15 164.502(d), as may be amended. The State shall have a
16 compelling interest in the public and private use of de-
17 identified protected health information for the purposes of



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1 medical or economic research, patient protection, public safety,
2 and the proper operation of medical and health care facilities."

3 SECTION 3. Section 323B-2, Hawaii Revised Statutes, is
4 amended by adding a new definition to be appropriately inserted
5 and to read as follows:

6 "De-identified protected health information" has the same
7 meaning as in 45 Code of Federal Regulations section 164.514(a),
8 as may be amended."

9 SECTION 4. New statutory material is underscored.

10 SECTION 5. This Act shall take effect on July 1, 2017.

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INTRODUCED BY:

Ronald H. Bell
~~AC. Anthony~~
J. Alan Gosh



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Report Title:

Health Care Privacy Harmonization Act; De-identified Protected Health Information; Uses and Disclosures

Description:

Identifies the circumstances in which the State has a compelling interest in the use and disclosure of de-identified protected health information under the Health Care Privacy Harmonization Act.

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

