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TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-NINTH LEGISLATURE
Regular Session of 2017

Tuesday, March 14, 2017
8:30 a.m.

TESTIMONY ON SENATE BILL NO. 1171, S.D. 1 – RELATING TO THE HEALTH CARE PRIVACY HARMONIZATION ACT.

TO THE HONORABLE DELLA AU BELATTI, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Gordon Ito, State Insurance Commissioner, testifying on behalf of the Department of Commerce and Consumer Affairs (“Department”). The Department supports this bill if used for an All-Payer Claims Database project or similar purpose.

This bill identifies circumstances in which the State has a compelling interest in the use and disclosure of de-identified protected health information and recognizes that use and disclosure of de-identified protected health information is subject to 45 Code of Federal Regulations part 164.

We support the use of de-identified protected health information in a manner that is consistent with federal regulations. Such information may be helpful for an All-Payer Claims Database or similar purpose, and provide data to help analyze health care cost drivers and lead to activities for improving population health.

We thank the Committee for the opportunity to present testimony on this matter.

**March 14, 2017 at 8:30 am
Conference Room 329**

House Committee on Health

To: Representative ,Della Au Belatti Chair
Representative Bertrand Kobayashi, Vice Chair

From: Michael Robinson
Vice President -- Government Relations and Community Affairs

**Re: SB 1171, SD1, Relating to the Health Care Privacy Harmonization Act
Testimony in Support**

My name is Michael Robinson, and I am the Vice President of Government Relations and Community Affairs for Hawai'i Pacific Health (HPH). Hawai'i Pacific Health is a not-for-profit health care system, and the state's largest health care provider and non-governmental employer. Hawai'i Pacific Health is committed to providing the highest quality medical care and service to the people of Hawai'i and the Pacific Region through its four hospitals, more than 50 outpatient clinics and service sites, and over 1,600 affiliated physicians. Hawai'i Pacific Health's hospitals are Kapi'olani Medical Center for Women & Children, Pali Momi Medical Center, Straub Clinic & Hospital and Wilcox Memorial Hospital.

HPH **supports** SB 1171, SD1 which identifies 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. We recognize that there may be circumstances under which the State has a compelling interest in protected health information as outlined in SB 1171. However, despite the State's compelling interests, it remains necessary to protect patient privacy and confidentiality. We appreciate the amendments contained in the current draft of the measure, specifying that the health information must be de-identified pursuant to title 45 Code of Federal Regulations part 164.

Thank you for the opportunity to testify.



Chamber of Commerce HAWAII

The Voice of Business

**Testimony to the House Committee on Health
Tuesday, March 14, 2017 at 8:30 A.M.
Conference Room 329, State Capitol**

**RE: SENATE BILL 1171 SD1 RELATING TO THE HEALTH CARE PRIVACY
HARMONIZATION ACT**

Chair Belatti, Vice Chair Kobayashi, and Members of the Committee:

The Chamber of Commerce Hawaii ("The Chamber") **supports** SB 1171 SD1, which identifies certain circumstances under which the State has a compelling interest in the disclosure, use, and production of de-identified protected health information under the Health Care Privacy Harmonization Act: provided that the information has been de-identified pursuant to title 45 Code of Federal Regulations part 164.

The Chamber is Hawaii's leading statewide business advocacy organization, representing about 1,600+ businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

We believe that this bill is of significant interest to the business community as it impacts the way that the health information of individuals relevant to operations may be accessed, as stated in the bill, "for the purposes of medical or economic research, patient protection, public safety, and the proper operation of medical and health care facilities."

We continue to work with the various stakeholders to ensure that the language in the bill rectifies the situation in both law and practice.

Thank you for the opportunity to testify.



**THE QUEEN'S
HEALTH SYSTEMS**

LATE

To: The Honorable Della Au Belatti, Chair
The Honorable Bertrand Kobayashi, Vice Chair
Members, Committee on Health

From: Paula Yoshioka, Senior Vice President, The Queen's Health Systems

Date: March 13, 2017

Hrg: House Committee on Health Hearing; Tuesday, March 14, 2017 at 8:30AM in Room 329

Re: **Support for SB 1171, SD1, Relating to the Health Care Privacy Harmonization Act**

My name is Paula Yoshioka, and I am a Senior Vice President at The Queen's Health Systems (QHS). We would like to express our **support** for SB 1171, SD1, Relating to the Health Care Privacy Harmonization Act. This bill identifies certain circumstances under which the State has a compelling interest in the disclosure, use, and production of de-identified protected health information under the Health Care Privacy Harmonization Act; provided that the information has been de-identified pursuant to title 45 Code of Federal Regulations part 164.

QHS supports the use of de-identified protected health information in a manner that is consistent with federal regulation as provided in this bill and concur with the testimony provided by the Chamber of Commerce of Hawaii.

We commend the legislature for introducing this measure and ask you to support it.

Thank you for your time and attention to this important issue.

The mission of The Queen's Health Systems is to fulfill the intent of Queen Emma and King Kamehameha IV to provide in perpetuity quality health care services to improve the well-being of Native Hawaiians and all of the people of Hawai'i.