

**February 22, 2017 at 9:00 am
Conference Room 229**

Senate Committee on Commerce, Consumer Protection and Health

To: Senator Rosalyn Baker, Chair
Senator Clarence Nishihara, Vice Chair

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

Re: **SB 1171, 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 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. We have been in discussion with stakeholders on this matter and continue to engage with them. We support the amending language to Section 2 as proposed by the Chamber of Commerce to read as follows:

SECTION 2. Chapter 323B, Hawaii Revised Statutes, is amended by adding a new section (5) to read as follows:


Disclosure, use and production of de-identified patient health information.

(5) Provided that individually identifiable health information has been de-identified pursuant to 45 Code of Federal Regulations part 164, the State of Hawaii has a compelling interest in public and private use, disclosure and production of such de-identified information for purposes of medical or economic research, protecting patient or public safety, ensuring proper operation of facilities providing medical care, and health care operations as defined in 45 Code of Federal Regulations part 164.

Thank you for the opportunity to testify.



To: The Honorable Rosalyn H. Baker, Chair
The Honorable Clarence K. Nishihara, Vice Chair
Members, Committee on Commerce, Consumer Protection, and Health

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

Date: February 17, 2017

Hrg: Senate Committee on Commerce, Consumer Protection, and Health Hearing; Wednesday, February 22, 2017 at 9:00AM in Room 229

Re: **Support for SB 1171, 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. We would like to express our **support** and provide **comments** for SB 1171, Relating to the Health Care Privacy Harmonization Act. This bill 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.

We concur with the testimony provided by the Chamber of Commerce of Hawaii and respectfully request the committee consider the following amendments to the bill for the sake of clarity:

SECTION 2. Chapter 323B, Hawaii Revised Statutes, is amended by adding a new section (5) to read as follows:

Disclosure, use and production of de-identified patient health information.

(5) Provided that individually identifiable health information has been de-identified pursuant to 45 Code of Federal Regulations part 164, the State of Hawaii has a compelling interest in public and private use, disclosure and production of such de-identified information for purposes of medical or economic research, protecting patient or public safety, ensuring proper operation of

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.

facilities providing medical care, and health care
operations as defined in 45 Code of Federal Regulations
part 164.

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.