
A BILL FOR AN ACT

RELATING TO THE SHARING OF VITAL STATISTICS RECORDS WITH
DEPARTMENT OF HEALTH PROGRAM EMPLOYEES FOR APPROVED
RESEARCH PURPOSES.

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

SECTION 1. Chapter 338, Hawaii Revised Statutes, is
amended by adding a new section to part I to be appropriately
designated and to read as follows:

"§338- Sharing of vital statistics records with
department of health program employees for approved research
purposes. (a) Notwithstanding section 338-18, the department
may disclose public health statistics records to persons who are
employed by department of health programs, acting within the
scope of their employment, and who need to use a public health
statistics record for research purposes, as approved by the
department's institutional review committee. Upon the
institutional review committee's approval, the department may
disclose the following information to employees as specified in
this section:

(1) Names, addresses, and contact information in the
record for the purpose of contacting persons



1 identified in the record to request informed consent
2 to use additional specified information in the record.

3 Upon confirmation of informed consent, the additional
4 specified information in the record may be disclosed
5 and used for approved research purposes; and

6 (2) Information in the record as approved by the
7 institutional review committee without informed
8 consent of persons identified in the record; provided
9 that the institutional review committee:

10 (A) Identifies the information in the record for
11 which disclosure is sought;

12 (B) Determines that obtaining informed consent is not
13 practicable; and

14 (C) Determines that there is a public health purpose
15 for the approved research that substantially
16 outweighs the confidentiality interest of persons
17 identified in the record.

18 (b) Research purposes under this section are limited to
19 those that have been approved by the department's institutional
20 review committee.



1 (c) Requirements for informed consent shall be determined
2 by the department's institutional review committee as part of
3 its approval of the research purposes for which the information
4 in the record will be disclosed and used.

5 (d) Information disclosed pursuant to this section may
6 only be redisclosed:

7 (1) With authorization from the institutional review
8 committee; or

9 (2) If the record has been redacted of identifying
10 personal information.

11 (e) For purposes of this section, "department" means the
12 department of health."

13 SECTION 2. New statutory material is underscored.

14 SECTION 3. This Act shall take effect on January 1, 2035.



Report Title:

Department of Health; Vital Statistics Records; Internal
Disclosure for Approved Research Purposes

Description:

Authorizes the Department of Health to disclose public health
statistics records internally within the Department for approved
research purposes and establishes conditions under which those
records may be disclosed with and without informed consent.
Effective 1/1/2035. (SD2)

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not legislation or evidence of legislative intent.*

