



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

WRITTEN
TESTIMONY ONLY

**Testimony in SUPPORT of S.B. 1144 S.D. 1
RELATING TO MARRIAGE LICENSE FEES**

SENATOR ROSALYN H. BAKER, CHAIR
SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION
SENATOR DONOVAN M. DELA CRUZ, CHAIR
SENATE COMMITTEE ON WAYS AND MEANS

Hearing Date: 3/4/2021

Room Number: Via Videoconference

1 **Fiscal Implications:** Increase in the marriage license fee will continue the support of the Hawaii
2 Birth Defects Program and allow for the modernization of the Vital Statistics data system.

3 **Department Testimony:** The Department of Health (DOH) **strongly supports** S.B. 1144 S.D.
4 1, which is part of the Governor's Administrative Package, to increase the marriage license fee to
5 provide fiscal support to continue the work of the Hawaii Birth Defects Program and modernize
6 the outdated Vital Statistics data system. We request that the \$100 fee recommended in S.B.
7 1144 be reinstated in the bill to continue the activities supported by the marriage license fees.

8 As specified in HRS §321.422, the purpose of the Birth Defects Program is to collect
9 surveillance information on birth defects and other adverse reproductive outcomes; report the
10 incidence, trends, and causes of birth defects and other adverse reproductive outcomes; report
11 information for the development of prevention strategies to reduce the incidence of birth defects
12 and other adverse reproductive outcomes; and develop strategies to improve the access of
13 children with birth defects to health and early intervention services.

14 There are 43 states that have birth defects programs. The Hawaii Birth Defects Program is
15 needed for the collection, analysis, and reporting of birth defects data. It is an active surveillance
16 system in which birth defects data are directly abstracted from medical and other records at
17 hospitals and other medical facilities statewide. It provides more complete data (birth defect rate

1 of approximately 4% births) compared to the limited data in the birth certificate (congenital
2 anomaly rate of less than 0.2% births).

3 Based on diagnostic codes, the number of possible cases reviewed increased from approximately
4 1,000 to over 2,000 cases in the past few years. Of the cases reviewed each year, approximately
5 400 babies are found to have birth defects and the entire medical record needs to be reviewed.
6 The data is essential to identify and investigate factors which may cause higher rates of birth
7 defects and to provide information to answer community concerns about birth defects in Hawaii.

8 Increasing the marriage license fee to support the Hawaii Birth Defects Program will ensure that
9 the program maintains its mandated responsibilities. The Birth Defects Program has been
10 supported by a fee of \$10 per marriage license since 2002 as mandated by the legislature to help
11 support identification of risk factors that may affect adverse birth outcomes. However, the
12 program's salary and fringe expenses have almost doubled between 2002 and 2020. The program
13 currently does not have sufficient funding for operating expenses.

14 Increasing the marriage licenses fee will support the DOH system that collects the marriage
15 license fees and the vital statistics system that issues the marriage certificates. There were over
16 21,000 marriage licenses issued to couples in Hawaii in 2019. No portion of the current \$60.00
17 marriage license fee is retained by the DOH to maintain the statewide marriage license
18 registration system. The current vital statistics computer system that includes the marriage
19 license issuance and registration system is over 20 years old and needs to be modernized. Post
20 9/11 laws like the REAL ID Act create an increased demand for marriage records to prove legal
21 name changes for state-issued driver's license and identification cards. Individuals must provide
22 proof to the Departments of Motor Vehicles that the individual's last name differs from their
23 birth certificate's last name due to marriage to obtain their "gold star" by October 1, 2021.

24 The increased marriage license fee will also support two spouse and child abuse special funds
25 and marriage license agents which have not had a fee increase since 1998.

26 The DOH proposes allocation of the \$100 fee to different funds as follows:

	CURRENT \$60 FEE		PROPOSED \$100 FEE	
	Private marriage license agent	DOH marriage license agent	Private marriage license agent	DOH marriage license agent
Marriage license agent	9.00	-	15.00	-
Director of Health	51.00	60.00	85.00	100.00
<i>General fund</i>	<i>32.00</i>	<i>41.00</i>	<i>35.00</i>	<i>44.00</i>
<i>Spouse and child abuse special fund (Department of Human Services)</i>	<i>4.50</i>	<i>4.50</i>	<i>5.00</i>	<i>5.00</i>
<i>Spouse and child abuse special account (Judiciary)</i>	<i>4.50</i>	<i>4.50</i>	<i>5.00</i>	<i>5.00</i>
<i>Birth defects special fund</i>	<i>10.00</i>	<i>10.00</i>	<i>20.00</i>	<i>20.00</i>
<i>Vital statistics improvement special fund</i>	<i>-</i>	<i>-</i>	<i>20.00</i>	<i>26.00</i>

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2 Thank you for the opportunity to testify on this bill.