Honolulu, Hawaii

FEB 12 2025

S.B. No. 1421 RE: S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirty-Third State Legislature Regular Session of 2025 State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred S.B. No. 1421 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL RECORDS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- Repeal the requirement for the Department of Health to approve a provider's arrangement for the retention and preservation of patients' medical records prior to ceasing operations; and
- (2) Clarify that retention and preservation of medical records must be consistent with federal and state regulations.

Your Committee received testimony in support of this measure from the Department of Health and The Queen's Health System.

Your Committee finds that health care providers and health care systems have internal policies and procedures, external accreditation requirements, and regulations from federal agencies such as the Centers for Medicare and Medicaid Services that ensure the retention and preservation of medical records. Your Committee further finds that the Department of Health's role in approving plans for the disposition of patients' medical records when a

health care provider ceases operations is no longer necessary. This measure removes a redundant approval requirement that allows greater flexibility and efficiency when a provider intends to close practice.

Your Committee has amended this measure by inserting language to clarify that a provider's immediate arrangements for the retention and preservation of a patient's medical records shall include returning the medical records to the patient at the patient's last known address.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1421, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1421, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committee on Health and Human Services,

JOY A. SAN BUENAVENTURA, Chair

The Senate Thirty-Third Legislature State of Hawai'i

Record of Votes Committee on Health and Human Services HHS

Bill / Resolution No.:* SB 1421	Committee Referral: HHS, JDC			Date: 2/3/2 5	
The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)		/			
AQUINO, Henry J.C. (VC)					
HASHIMOTO, Troy N.					
KEOHOKALOLE, Jarrett		✓			
FEVELLA, Kurt		✓			
				· · · · · · · · · · · · · · · · · · ·	
					
TOTAL		5			
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original File with Committee Re		ellow 's Office D	Pink Prafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes