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# A BILL FOR AN ACT

RELATING TO HEALTH CARE DATA.

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

1           SECTION 1. Across the nation, health care information  
2 technology initiatives are being undertaken to improve health  
3 care outcomes as well as better control costs. Health care  
4 coordination can only improve when entities regulated by the  
5 Health Insurance Portability and Accountability Act of 1996 are  
6 able to share information electronically.

7           As federal efforts are being made to improve data-sharing  
8 through the creation of health information exchanges, one of the  
9 initial federal requirements that must be satisfied is the  
10 harmonization of federal and state laws.

11           With many local efforts underway to facilitate the  
12 implementation of patient-centered medical homes and accountable  
13 care organizations, and the increased use of telehealth as well  
14 as federal initiatives to build a functional health information  
15 exchange, it is necessary to ensure that health information is  
16 shared to the fullest extent allowed by federal law. However,  
17 under current Hawaii administrative rules, for example, clinical



1 laboratories in Hawaii may disclose lab results only to the  
2 person who ordered the lab test, or their designee.

3 The purpose of this Act is to update current law to ensure  
4 the success of the many health care coordination projects  
5 underway in the community and to enable the sharing of necessary  
6 medical information while complying with federal privacy  
7 standards.

8 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
9 amended by adding a new section to be appropriately designated  
10 and to read as follows:

11 "§321- Clinical laboratory test results. (a) Clinical  
12 laboratory test results may be provided to authorized persons  
13 for any purpose permitted under the Health Insurance Portability  
14 and Accountability Act of 1996 and federal regulations  
15 promulgated thereunder.

16 (b) For purposes of this section, "authorized persons"  
17 shall include:

18 (1) The provider ordering the test, or the provider's  
19 designee; and

20 (2) Any covered entity as defined under 45 Code of Federal  
21 Regulations Section 160.103 promulgated under the



1           Health Insurance Portability and Accountability Act of  
2           1996."

3           SECTION 3.   New statutory material is underscored.

4           SECTION 4.   This Act shall take effect upon its approval.

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**Report Title:**

Clinical Laboratory Test Results; Privacy

**Description:**

Allows clinical laboratory test results to be provided to authorized persons or any covered entity for any purpose permitted under the Health Insurance Portability and Accountability Act of 1996. Effective upon approval. (SD1)

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