

STAND. COM. REP. NO.

2603

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2100
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred S.B. No. 2100, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE DATA,"

begs leave to report as follows:

The purpose of this measure is to improve health care quality and prevent waste from duplicative clinical laboratory testing.

Under current Hawaii administrative rules, clinical laboratories may only disclose laboratory results to the person who ordered the test or the person's designee. This measure enables qualified health information exchanges to request clinical laboratory tests thus improving coordination between entities regulated by the Health Insurance Portability and Accountability Act and ensuring that health information may be shared to the fullest extent allowed by federal law.

Written comments presented to the Committee may be reviewed on the Legislature's website.



Your Committee finds that efforts being taken on the federal and state level to improve data sharing through the creation of health information exchanges will improve the quality of healthcare and reduce waste. However, your Committee further finds that maintaining medical privacy within data sharing systems is a paramount concern.

This measure updates the current law to facilitate the creation of health information exchanges and other health care coordination projects in our community while maintaining patient privacy. To further improve patient privacy, references to the Code of Federal Regulations parts 160-164 may need additional specificity.

Your Committee has amended this measure by:

- (1) Making the sharing of clinical laboratory tests optional so that test information will be sent to authorized persons only upon request;
- (2) Applying the definition of "authorized persons" to State administrative rules governing clinical laboratories in Hawaii; and
- (3) Making technical, nonsubstantive changes to ensure clarity and accuracy in the language of this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2100, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2100, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,


BRIAN T. TANIGUCHI, Chair



