



**GOV. MSG. NO. 1120**

EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

April 26, 2016

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Eighth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Joseph M. Souki,  
Speaker and Members of the  
House of Representatives  
Twenty-Eighth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Souki, and Members of the Legislature:

This is to inform you that on April 26, 2016, the following bill was signed into law:

SB2885 SD1

**RELATING TO BIRTH DEFECTS  
ACT 020 (16)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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# A BILL FOR AN ACT

RELATING TO BIRTH DEFECTS.

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

1 SECTION 1. Section 324-43, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "[+]§324-43[+] Use of collected information. (a) The  
4 information collected under this part shall be used by the  
5 department of health or researchers only for the purpose of  
6 advancing medical and public health research, medical education,  
7 or education of the public and healthcare providers in the  
8 interest of reducing morbidity or mortality[,-] or increasing  
9 physicians' knowledge of resources available for families of  
10 persons with birth defects, and only as approved or exempted by  
11 an institutional review board.

12 (b) The identity of, or any information which alone or in  
13 combination with other reasonably available information that may  
14 be used to identify, any person whose condition or treatment has  
15 been studied under this part shall be confidential.

16 (c) If the [+]birth defects program[+] or researchers  
17 intend to collect additional information directly from a patient  
18 or patient's relative for research studies approved by an



1 institutional review board, the researcher shall first obtain  
2 approval for the request from the patient's [attending  
3 ~~physician.~~ primary care provider. If the patient's current  
4 physician is not known, the patient may be contacted directly  
5 using a method approved by an institutional review board. The  
6 use of the additional information obtained by researchers shall  
7 be governed by subsection (a)."

8 SECTION 2. Statutory material to be repealed is bracketed  
9 and stricken. New statutory material is underscored.

10 SECTION 3. This Act shall take effect on July 1, 2016.

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APPROVED this 26 day of APR, 2016



GOVERNOR OF THE STATE OF HAWAII