

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 5, 2018

GOV. MSG. NO. 1236

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

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

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

This is to inform you that on July 5, 2018, the following bill was signed into law:

HB2373 HD2 SD1 CD1

RELATING TO THE SHARING OF VITAL
STATISTICS RECORDS WITH DEPARTMENT OF
HEALTH PROGRAM EMPLOYEES FOR
APPROVED RESEARCH PURPOSES
ACT 135 (18)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO THE SHARING OF VITAL STATISTICS RECORDS WITH
DEPARTMENT OF HEALTH PROGRAM EMPLOYEES FOR APPROVED
RESEARCH PURPOSES.

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

1 SECTION 1. Chapter 338, Hawaii Revised Statutes, is
2 amended by adding a new section to part I to be appropriately
3 designated and to read as follows:
4 "§338- Sharing of vital statistics records with
5 department of health program employees for approved research
6 purposes. (a) Notwithstanding section 338-18, the department
7 may disclose public health statistics records to persons who are
8 employed by department of health programs, acting within the
9 scope of their employment, who need to use a public health
10 statistics record for research purposes, as approved by the
11 department of health's institutional review committee. Upon the
12 institutional review committee's approval, the department may
13 disclose the following to department employees as specified in
14 this section:
15 (1) Names, addresses, and contact information in the
16 record for the purpose of contacting persons
17 identified in the record to request informed consent



1 to use additional specified information in the record.
2 Upon confirmation of informed consent, the additional
3 specified information in the record may be disclosed
4 and used for approved research purposes; and
5 (2) Information in the record as approved by the
6 institutional review committee without informed
7 consent of persons identified in the record; provided
8 that the institutional review committee:
9 (A) Identifies the information in the record for
10 which disclosure is sought;
11 (B) Determines that obtaining informed consent is not
12 practicable; and
13 (C) Determines that there is a public health purpose
14 for the approved research that substantially
15 outweighs the confidentiality interest of persons
16 identified in the record.
17 (b) Research purposes under this section are limited to
18 those that have been approved by the department's institutional
19 review committee.
20 (c) Requirements for informed consent shall be determined
21 by the department's institutional review committee as part of



1 its approval of the research purposes for which the information
2 in the record will be disclosed and used.

3 (d) Information disclosed pursuant to this section may
4 only be re-disclosed:

5 (1) With authorization from the institutional review
6 committee; or

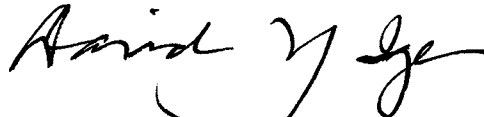
7 (2) If the record has been redacted of identifying
8 personal information.

9 (e) For the purposes of this section, "department" means
10 the department of health."

11 SECTION 2. New statutory material is underscored.

12 SECTION 3. This Act shall take effect upon its approval.

APPROVED this 05 day of JUL , 2018



GOVERNOR OF THE STATE OF HAWAII



HB No. 2373, HD 2, SD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki
Speaker
House of Representatives





Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI'I

Date: May 1, 2018
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.


President of the Senate


Clerk of the Senate