
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.



Report Title:

Vital Statistics Records; Disclosure within the Department for Approved Research Purposes

Description:

Authorizes the Department of Health, under specified circumstances, to disclose information in public health statistics records to Department employees acting within the scope of their employment for approved research purposes upon approval by the Department's Institutional Review Committee. Establishes conditions under which those records may be disclosed with and without informed consent. (HB2373 CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

