

STAND. COM. REP. NO.

899

Honolulu, Hawaii

MAR 05 , 2021

RE: H.B. No. 991

H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 991, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE DISCLOSURE OF VITAL STATISTICS RECORDS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Enable the Department of Health to disclose vital statistics records for public health and law enforcement purposes; and
- (2) Update the categories of those who are able to access otherwise confidential vital statistics records.

Your Committee received testimony in support of this measure from the Department of Health, Department of Transportation, Office of Hawaiian Affairs, and Honolulu Police Department. Your Committee received comments on this measure from the Office of Information Practices.

Your Committee finds that the appropriate sharing of vital records to be in the public interest, particularly to expedite law enforcement or judicial proceedings and also research to help define unique issues in the State. This measure will allow the

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Department of Health greater discretion to disclose vital records in certain circumstances for legitimate government and research functions.

Your Committee notes that this measure repeals the statutory requirement for the Department of Health to make index data, consisting of the name and sex of the registrant and type of vital event registered, accessible by the public. Your Committee finds that the value of this index data is greatly outweighed by the risks of identity theft and that because of computerization, index data is no longer necessary. Before the use of modern information technology systems such as large computer databases, these types of indices would have been printed on index cards to be used in a manner similar to library catalog cards for manual research in bound volumes or other hard copies; this information was also published as a matter of routine in newspapers. However, with a change in social attitudes toward increasing individual privacy, the computerization of records, and a rise in the risk of identity theft, your Committee finds that public access to index data is undesirable and it is therefore prudent to eliminate a no longer necessary or useful means to access indices for public health vital records.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 991, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 991, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary &
Hawaiian Affairs,




MARK M. NAKASHIMA, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

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Record of Votes of the Committee on Judiciary & Hawaiian Affairs

Bill/Resolution No.: HB 991, HD 1	Committee Referral: HHH, JHA	Date: 3-3-21		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. NAKASHIMA, Mark M. (C)	✓			
2. MATAYOSHI, Scot Z. (VC)	✓			
3. ICHIYAMA, Linda	✓			
4. KOBAYASHI, Dale T.	✓			
5. LoPRESTI, Matthew S.				✓
6. LOWEN, Nicole E.	✓			
7. McKELVEY, Angus L.K.	✓			
8. NAKAMURA, Nadine K.	✓			
9. TAKUMI, Roy M.	✓			
10. TODD, Chris	✓			
11. TOKIOKA, James Kunane				✓
12. WARD, Gene				✓
TOTAL (12)	9	0	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				