Honolulu, Hawaii

Feb 2 , 2012

RE: H.B. No. 1957 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1957 entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify that persons and entities, governed by the federal Health Insurance Portability and Accountability Act of 1996, who use or disclose individually identifiable health information consistent with Health Insurance Portability and Accountability Act regulations, shall be deemed to be in compliance with Hawaii's privacy laws and rules.

The Office of the Governor; Hawaii Medical Service Association; Hawaii Health Information Corporation; American Physical Therapy Association, Hawaii Chapter; Hawaii Disability Rights Center; Healthcare Association of Hawaii; Hawaii Health Information Exchange; Consumer, Family, & Youth Alliance; and an individual testified in support of this measure. The Department of Health and Department of Commerce and Consumer Affairs commented on the measure.

Your Committee has amended this measure by deleting the provision that states that any notification of breach of unsecured protected health information provided in accordance with Health Insurance Portability and Accountability Act of 1996 regulations regarding notification of breach of unsecured protected health information under 45 Code of Federal Regulations, Part 164,

Subpart D, is deemed compliant with all state laws and rules governing notice of breach of protected health information. Technical, nonsubstantive amendments were also made for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1957, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1957, H.D. 1, and be referred to the Committees on Consumer Protection & Commerce and Judiciary.

Respectfully submitted on behalf of the members of the Committee on Health,



State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Health

Bill/Resolution No.: AB 1957 Committee Referral: ALT, CPC/JUD Date: 1/24/2012				
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)			<u> </u>	
2. MORIKAWA, Dee (VC)	V			
3. BELATTI, Della Au	V			
4. HANOHANO, Faye P.	1			
5. JORDAN, Jo				
6. LEE, Chris				
7. MIZUNO, John M.	V			
8. WOOLEY, Jessica				V
9. CHING, Corinne W.L.				
10. PINE, Kymberly Marcos	V			
TOTAL (10)	8			2
The recommendation is: Adopted If joint referral, committee acronym(s) Not Adopted did not support recommendation.				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				