
A BILL FOR AN ACT

RELATING TO REPORTING DEATHS TO STATE AGENCIES.

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

1 SECTION 1. The legislature finds that some governmental
2 agencies within the State that keep official lists of persons,
3 in the ordinary course of the agency's activities, need to know
4 when members on their lists have died so that they can, for
5 example, discontinue providing benefits. Although section 338-
6 18(g), Hawaii Revised Statutes, allows the department of health
7 to verify information contained in vital statistics records by
8 employing a process that matches its vital statistics
9 information with information provided by agencies, that process
10 cannot be used by state agencies whose lists are confidential
11 under federal law.

12 The legislature also finds that it is unlawful for the
13 department of health to disclose information contained in
14 confidential vital statistics records, except as authorized by
15 law. Allowing the department of health to report deaths to
16 state agencies that maintain official lists that are
17 confidential under federal law would assist state agencies to



1 maximize the accuracy of their official lists and avoid
2 overpaying benefits and wasting public funds.

3 SECTION 2. Chapter 338, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 **"§338- Deaths reported to state agencies. (a)**

7 Notwithstanding section 338-18, the department of health, within
8 six weeks after the end of each quarter or other agreed upon
9 period, shall deliver to a state agency a list of the names of
10 all persons whose deaths have been recorded by the department
11 during that period; provided that this section shall only apply
12 to a state agency that:

13 (1) Maintains official lists of persons in the ordinary
14 course of the agency's activities and is prohibited by
15 federal law from sharing information from the lists;
16 and

17 (2) Has requested the information from the department
18 pursuant to a written agreement.

19 The list shall set forth the full name of the decedent and the
20 dates of the decedent's birth and death, if known. The
21 department and the requesting agency shall determine by



1 agreement the form and format of providing the information to
2 the agency.

3 (b) In response to an agency's first request pursuant to
4 subsection (a), the department of health may provide a list of
5 the persons whose deaths were recorded by the department during
6 an agreed upon period in the past. The department may charge a
7 reasonable fee to cover its cost of providing the list. If a
8 state agency requires further information, the department may
9 provide a certified copy of the death certificate to that state
10 agency, subject to the fees required under section 338-14.5.

11 (c) Any state agency that obtains, pursuant to this
12 section, a list of the names of persons whose deaths have been
13 recorded by the department of health shall use the list only for
14 the purposes for which it was obtained and shall not further
15 disclose any information on the list.

16 (d) The department of health may develop and implement or
17 assist with the development and implementation of a systems
18 interface to electronically provide the information required
19 pursuant to subsection (a) to a state agency."

20 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect upon its approval
2 and shall be repealed on July 1, 2016.



Report Title:

Vital Records; Reporting Deaths to State Agencies

Description:

Authorizes the Department of Health to disclose, including through electronic means, lists of names of persons whose deaths have been recorded by DOH, to state agencies that maintain official lists of persons and are prohibited by federal law from sharing information from the lists. Sunsets on July 1, 2016.
(HB2262 HD2)

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