
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, and need a public health statistics
10 record for research purposes, as approved by the department of
11 health's institutional review committee. Upon the institutional
12 review committee's approval, the department may disclose the
13 following to employees as specified in this section:

14 (1) Names, addresses, and contact information in the
15 record for the purpose of contacting persons
16 identified in the record to request informed consent



1 to use additional specified information in the record.

2 If informed consent is provided, the additional

3 specified information in the record may be disclosed;

4 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 so long as

8 the institutional review committee:

9 (A) Identifies the information in the record that may

10 be shared;

11 (B) Determines that obtaining informed consent is not

12 practicable; and

13 (C) Determines that there is a public health purpose

14 of the research that outweighs the

15 confidentiality interest of persons identified in

16 the record.

17 (b) For purposes of this chapter, research purposes are

18 those that have been approved by the department's institutional

19 review committee.

20 (c) For purposes of this section, the requirements for

21 informed consent shall be determined by the department's



1 institutional review committee in its approval of the research
2 purposes for which the information in the record will be shared.

3 (d) Information disclosed pursuant to this section may
4 only be redisclosed with authorization from the institutional
5 review committee or if it is first de-identified."

6 SECTION 2. New statutory material is underscored.

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

8



Report Title:

Department of Health; Vital Statistics Records; Internal
Disclosure for Approved Research Purposes

Description:

Authorizes the Department of Health to disclose public health
statistics records internally within the Department for approved
research purposes and establishes conditions under which those
records may be disclosed with and without informed consent.
(SD1)

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not legislation or evidence of legislative intent.*

