

STAND. COM. REP. NO.

**2753**

Honolulu, Hawaii

**MAR 02 2018**

RE: S.B. No. 2800

S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Twenty-Ninth State Legislature  
Regular Session of 2018  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B.  
No. 2800, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE SHARING OF VITAL  
STATISTICS RECORDS WITH DEPARTMENT OF HEALTH PROGRAM  
EMPLOYEES FOR APPROVED RESEARCH PURPOSES,"

begs leave to report as follows:

The purpose and intent of this measure is to provide an  
avenue for the Department of Health to share amongst its program  
employees certain personal health statistics records for research  
purposes, subject to approval by the Department's institutional  
review committee.

Your Committee received testimony in support of this measure  
from the Department of Health, Hawaii Primary Care Association,  
and Hawaii Children's Action Network. Your Committee received  
testimony in opposition to this measure from one individual.

Your Committee finds that individuals have a significant  
privacy interest in their records that are held and maintained by  
the Department of Health. The State and, by extension, the  
Department of Health has an interest in conducting research using  
public health statistics, but this interest must be properly  
balanced against the significant privacy interests of the  
individuals whose records are used in the research. This measure  
will protect the privacy interest of individuals while allowing



employees of the Department of Health to use vital statistics records for the purposes of research.

Your Committee has amended this measure by:

- (1) Clarifying that a public health purpose for approved research must substantially outweigh the confidentiality interest of the persons identified in a record for the record to be disclosed;
- (2) Inserting an effective date of January 1, 2035, for the purposes of clarity and consistency; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2800, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2800, S.D. 2.

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



BRIAN T. TANIGUCHI, Chair



The Senate  
Twenty-Ninth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Judiciary**  
**JDC**

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 2800, SDI</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">CPH, JDC</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">3/01/2018</div>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312         </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311         </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310         </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313         </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
<b>TOTAL</b>	5	0	0	0
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted           <input type="checkbox"/> Not Adopted         </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-left: 20px;">Karl Rhoads</div>				
<div style="display: flex; justify-content: space-between; font-size: 0.8em;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: 0.7em; margin-top: 2px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

**\*Only one measure per Record of Votes**