

Honolulu, Hawaii

FEB 16 2024

RE: S.B. No. 3123
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2024
State of Hawaii

Sir:

Your Committees on Hawaiian Affairs and Health and Human Services, to which was referred S.B. No. 3123 entitled:

"A BILL FOR AN ACT RELATING TO ACCESS TO VITAL RECORDS FOR THE DEPARTMENT OF HAWAIIAN HOME LANDS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Department of Hawaiian Home Lands to access vital records for purposes of verifying native Hawaiian ancestry for beneficiary programs; and
- (2) Require the Department of Health and Department of Hawaiian Home Lands to enter into a Memorandum of Agreement to assure appropriate access and handling of confidential records and sealed records that have been unsealed pursuant to court order.

Your Committees received testimony in support of this measure from the Department of Hawaiian Home Lands; Department of Health; Department of Human Services; Free Access Coalition; Ho'omana Pono, LLC; and two individuals.

Your Committees find that Hawaii is a "closed record" state, which means that persons or entities must demonstrate a direct and tangible interest in a vital record to have access to the record.



Allowing the Department of Hawaiian Home Lands to have access to vital records for certain purposes and under certain conditions, greatly reduces the administrative barriers to vetting claims of native Hawaiian ancestry to facilitate participation in beneficiary programs while still protecting the privacy of vital records. This measure will expedite the process to determine the eligibility of native Hawaiian individuals and families and will also ease the administrative burden of the Department of Hawaiian Home Lands.

Your Committees have amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Hawaiian Affairs and Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 3123, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 3123, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Hawaiian Affairs
and Health and Human Services,



JOY R. SAN BUENAVENTURA, Chair



MAILE S.L. SHIMABUKURO, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Hawaiian Affairs
HWN

Bill / Resolution No.:* SB 3123	Committee Referral: HWN/HHS, JDC	Date: 02/13/2024
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SHIMABUKURO, Maile S.L. (C)	X			
FEVELLA, Kurt (VC)	X			
IHARA, Jr., Les				X
KEOHOKALOLE, Jarrett	X			
RICHARDS, III, Herbert M. "Tim"				X
TOTAL	3			2

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:
Kurt Fevella

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The Senate
Thirty-Second Legislature
State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:*	Committee Referral:	Date:
SB3123	HWN/HHS, JDC	2/13/24

The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

<input type="checkbox"/> Pass, unamended <small>2312</small>	<input checked="" type="checkbox"/> Pass, with amendments <small>2311</small>	<input type="checkbox"/> Hold <small>2310</small>	<input type="checkbox"/> Recommit <small>2313</small>
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Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	/			
AQUINO, Henry J.C. (VC)	/			
KEOHOKALOOLE, Jarrett	/			
SHIMABUKURO, Maile S.L.	/			
AWA, Brenton				/
TOTAL	4			1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:

Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

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