

STAND. COM. REP. NO. **3302**

Honolulu, Hawaii

MAR 30 2026

RE: H.B. No. 2093
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred H.B. No. 2093 entitled:

"A BILL FOR AN ACT RELATING TO THE UNIFORM PROBATE CODE,"

begs leave to report as follows:

The purpose and intent of this measure is to provide for the temporary sealing of certain medical records and professional evaluations filed in guardianship and conservatorship proceedings pending a judicial determination on the need for continued sealing.

Your Committee received testimony in support of this measure from the Judiciary.

Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that guardianship and conservatorship proceedings under chapter 560, Hawaii Revised Statutes, involve matters of a sensitive and private nature for individuals whose capacity or incapacity is at issue. In making the determination of a person's ability to receive and evaluate information, make or communicate decisions, or meet essential requirements for physical health, safety, or self-care, the courts must review reports, information, evaluations, and medical records that describe the person's mental or physical condition, diagnosis, and prognosis,



and other materials that are highly personal and intimate in nature. This measure protects the privacy interests of individuals in the information pending a court hearing and promotes the efficient administration of guardianship and conservatorship proceedings in the Probate Courts.

Your Committee has amended this measure by expanding the list of persons authorized to access confidential records under sections 560:5-307 and 560:5-407, Hawaii Revised Statutes, to include all parties named in the petition, rather than limiting access to only the petitioner.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2093, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2093, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health and Human
Services,



JOY A. SAN BUENAVENTURA, Chair



