

STAND. COM. REP. NO. 1147-26

Honolulu, Hawaii

MAR 06<sup>2026</sup>

RE: H.B. No. 2576  
H.D. 2

Honorable Nadine K. Nakamura  
Speaker, House of Representatives  
Thirty-Third State Legislature  
Regular Session of 2026  
State of Hawaii

Madame:

Your Committee on Judiciary & Hawaiian Affairs, to which was referred H.B. No. 2576, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BACKGROUND CHECKS,"

begs leave to report as follows:

The purpose of this measure is to authorize applicants, operators, and third-party employers, rather than the Department of Health, to conduct background checks of employees and adult volunteers at healthcare facilities.

Your Committee received testimony in support of this measure from the Healthcare Association of Hawaii; The Queen's Health Systems; Hawai'i Pacific Health; Kaiser Permanente Hawai'i; Surgicare of Hawai'i; Rehabilitation Hospital of the Pacific; Palolo Chinese Home; and one individual. Your Committee received testimony in opposition to this measure from the Department of the Attorney General and Department of Health. Your Committee received comments on this measure from the Hawai'i Civil Rights Commission staff; LeadingAge Pacific West; Hawai'i State Center for Nursing; and Hospice Maui.

Your Committee finds that background check requirements for individuals seeking licensure, operating, working, or volunteering in healthcare facilities are intended to protect patient health, safety, and welfare, but that the existing statutory framework may

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lack clarity and consistency regarding responsibility, scope, and process. Clarifying statutory roles, standards, and procedures for background checks will reduce administrative burdens while maintaining patient safety.

Your Committee has amended this measure by:

- (1) Clarifying and updating definitions relating to background checks, including:
  - (A) Repealing the definitions of "background check", "criminal history record name inquiry", and "name inquiry", and defining "fingerprint-based background checks" and "name-based background checks"; and
  - (B) Clarifying the terms "direct patient access worker", "healthcare facility", and "third-party employer";
- (2) Amending language that would have authorized applicants, operators, and third-party employers to conduct background checks, but authorizing licensed hospitals to conduct required name-based background checks;
- (3) Specifying background check requirements, including by requiring one-time fingerprint-based background checks, initial name-based background checks, and biennial name-based background checks;
- (4) Clarifying that disqualifying information identified through a background check may be determined not to be disqualifying following an appeal process;
- (5) Clarifying how background check information shall be used to determine suitability for working or serving in a healthcare facility; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary & Hawaiian Affairs that is attached to this report, your Committee is in accord with the intent and purpose of



H.B. No. 2576, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2576, H.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary &  
Hawaiian Affairs,



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DAVID A. TARNAS, Chair



**Record of Votes of the Committee on Judiciary & Hawaiian Affairs**

<b>Bill/Resolution No.:</b> HB2576 HD1	<b>Committee Referral:</b> HLT, JHA	<b>Date:</b> 2/24/2026		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
JHA Members	Ayes	Ayes (WR)	Nays	Excused
1. TARNAS, David A. (C)	✓			
2. POEPOE, Mahina (VC)	✓			
3. BELATTI, Della Au	✓			
4. COCHRAN, Elle	✓			
5. HASHEM, Mark J.				✓
6. KAHALOA, Kirstin	✓			
7. SAYAMA, Jackson D.	✓			
8. TAKAYAMA, Gregg	✓			
9. GARCIA, Diamond				✓
10. SHIMIZU, Garner M.	✓			
<b>TOTAL (10)</b>	8	0	0	2
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <div style="text-align:center; font-size: small;">committee acronym(s)</div>				
<b>Vice Chair's or designee's signature:</b>				
<b>Distribution:</b> Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				