

ACT 117

H.B. NO. 201

A Bill for an Act Relating to Health Surveillance.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Chapter 324, Hawaii Revised Statutes, is amended by adding a new part to read:

“PART IV. HEALTH SURVEILLANCE

“Sec. 324-31 Identity of persons studied and material, restrictions. (a) The identity, or any group of facts or any system of records which may lead to the identity, of any person whose condition or treatment has been studied shall be confidential and shall not be revealed in any report, release, or publication. The department of health may, however, use the names of persons when requesting additional information; provided, that approval shall first be obtained from the individual, the individual’s parents or guardian in the case of a minor, or the next of kin in the case of a deceased person; and provided, that the identity or facts identifying the person shall not be released outside of the department of health.

“Sec. 324-32 Release of information. (a) Consistent with section 324-31 Hawaii Revised Statutes, and Public Law 93-380, the department of health may, if not otherwise prohibited by law release statistical records or information relating to the health surveillance program. The materials collected under this part shall only be used for the analysis of health, demographic, socio-economic, environmental and related factors for the evaluation of health problems, health programs, delivery and utilization of medical care, analysis and interpretation of public health trends, forecasting long and short range public health needs and for the determination of programs to meet such needs.

(b) The department of health may collect additional information requested by other public or private agencies and may release statistical information from the health surveillance program for research, educational or program purposes

to the public or private agencies or individuals.

Sec. 324-33 Legal proceedings; information excluded from. Findings, conclusions, or summaries pertaining to any individual resulting from studies within the scope of this part shall not be used against the individual or made available in any legal proceeding without the individual's consent.

"Sec. 324-34 Penalty. Any person violating this part shall be guilty of a misdemeanor."

SECTION 2. This Act shall take effect upon its approval.

(Approved May 31, 1977.)