
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO
SURVEY WHETHER AND HOW WORKERS' COMPENSATION LAWS IN OTHER
STATES ARE USED TO COVER EMPLOYEE DISABILITIES CAUSED BY
MULTIPLE CHEMICAL SENSITIVITIES.

1 WHEREAS, although no consensus has been reached for a case
2 definition of "multiple chemical sensitivities", according to
3 the National Institutes of Health's National Institute of
4 Environmental Health Sciences, the term, also known as "20th
5 Century Syndrome", "environmental illness", "sick building
6 syndrome", idiopathic environmental intolerance, and TILT
7 (toxicant-induced loss of tolerance), can be defined as a
8 chronic, recurring disease caused by a person's inability to
9 tolerate an environmental chemical or class of foreign
10 chemicals; and

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12 WHEREAS, multiple chemical sensitivities has been described
13 as a group of sensitivities to extraordinarily low levels of
14 environmental chemicals appearing to develop in some individuals
15 without prior history following acute or chronic exposure to a
16 wide variety of environmental agents including various
17 pesticides, solvents, drugs, and air contaminants in so-called
18 sick buildings; and

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20 WHEREAS, some researchers contend that the term multiple
21 chemical sensitivities refer to complaints of patients who
22 report recurrent nonspecific symptoms referable to multiple
23 organ systems that the sufferers believe are provoked by
24 exposure to low levels of chemical, biological, or physical
25 agents, yet other researchers have found no consistent physical
26 findings or laboratory abnormalities to differentiate multiple
27 chemical sensitivities patients from the remainder of the
28 population; and

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30 WHEREAS, while some researchers espouse various theories as
31 to the causes of multiple chemical sensitivities, other



1 researchers either doubt the existence of the disease as there
2 is little concrete evidence to support it, or suspect a
3 psychosomatic cause; and

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5 WHEREAS, it is in the interest of the State of Hawaii to
6 protect its workers who suffer from multiple chemical
7 sensitivities; now, therefore,

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9 BE IT RESOLVED by the House of Representatives of the
10 Twenty-fourth Legislature of the State of Hawaii, Regular
11 Session of 2007, the Senate concurring, that the Department of
12 Labor and Industrial Relations is requested to survey whether
13 and how workers' compensation laws in other states are used to
14 cover employee disabilities caused by multiple chemical
15 sensitivities; and

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17 BE IT FURTHER RESOLVED that the Department of Labor and
18 Industrial Relations is further requested to include in its
19 report:

- 20 (1) The results of consultations with the Department's
- 21 counterparts in other states to determine how other
- 22 states handle workers' compensation cases involving
- 23 multiple chemical sensitivities; and
- 24 (2) The standard of proof, the amount, type, and quality
- 25 of evidence that must be presented in this State to
- 26 demonstrate or otherwise prove to the satisfaction of
- 27 the Department that a person's multiple chemical
- 28 sensitivities claim is work-related; and

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30 BE IT FURTHER RESOLVED that the Department of Labor and
31 Industrial Relations is requested to submit any findings and
32 recommendations, including any necessary proposed legislation,
33 to the Legislature not later than twenty days prior to the
34 convening of the Regular Session of 2008; and

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36 BE IT FURTHER RESOLVED that a certified copy of this
37 Concurrent Resolution be transmitted to the Director of Labor
38 and Industrial Relations.

