STAND. COM. REP. NO. 215

Honolulu, Hawaii

Feb 13, 2009

RE: H.B. No. 439 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 439 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL INJURIES,"

begs leave to report as follows:

The purpose of this bill is to improve the adjudication of medical injury claims by establishing a working group on the establishment of a health court (Working Group), under the Department of Health (DOH), to study the concept of health courts, and determine the appropriate structure and features of a state health court system.

The Hawaii Association of Health Plans supported this bill. DOH opposed this measure. The Hawaii Association for Justice (HAJ), Hawaii Medical Association, and a concerned individual submitted comments.

Upon further consideration and in light of public testimony for this measure, your Committee has amended this measure by:

(1) Removing the President of the Hawaii State Bar
Association from membership on the Working Group, and,
instead, adding the President of HAJ, or designee, as a
member of the Working Group;

- (2) Adding the Dean of the University of Hawaii John A. Burns School of Medicine, or designee, as a member of the Working Group;
- Changing its effective date to July 1, 2020, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 439, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 439, H.D. 1, and be referred to the Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committee on Health,

## State of Hawaii House of Representatives The Twenty-fifth Legislature

HSCR 215

## **Record of Votes of the Committee on Health**

Bill/Resolution No.: HB 439	Committee Referral: HLT, JUD, FIN	Date: 2-3	Date: 2-10-09	
☐ The committee is reconsidering its prev	vious decision on the measure.			
The recommendation is to:  Pass, unamended (as is) Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)			·	
		Early Barry Ba		and The State of t
2. NISHIMOTO, Scott Y. (VC)			2007	Karakara (S
3. BELATTI, Della Au				
J. DEDATTI, Della Au		The state of the s		
4. BERTRAM, Joe, III				
All the department of the second				
5. BROWER, Tom				
36. 14.56.42.23.3	Water State		AND SHOULD BE SH	
6. CARROLL, Mele				
7. MIZUNO, John M.			THE RESERVE	
7. Mizero, John M.				
8. SHIMABUKURO, Maile S.L.				
		/		
9. FINNEGAN, Lynn				
			·····	
TOTAL (9)	7	(		STREET
The recommendation is:  Adopted				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				