STAND. COM. REP. NO. 119

Honolulu, Hawaii March 8 , 2011

RE: H.B. No. 466 H.D. 3

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 466, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION, "

begs leave to report as follows:

The purpose of this bill is to improve the fairness of the workers compensation system and provide better quality care for those workers hurt on the job by requiring independent medical examinations and permanent impairment rating examinations for workers' compensation claims to be performed by physicians mutually agreed upon by employers and employees or appointed by the Director of Labor and Industrial Relations.

The Department of Labor and Industrial Relations (DLIR), ILWU Local 142, Hawaii State AFL-CIO, Hawaii Injured Worker's Alliance, Hawaii Chapter - American Physical Therapy Association, Workstar Injury Recovery Center, and numerous concerned individuals testified in support of this bill. The City and County of Honolulu Department of Human Resources, The Chamber of Commerce of Hawaii; Maui Chamber of Commerce; Activities & Attractions Association of Hawaii; General Contractors Association of Hawaii; Inalab, Inc.; Technical Experts, Inc.; Kilakila Employer Services; National Federation of Independent Business Hawaii; Retail Merchants of Hawaii; Hawaii Insurers Council; Hawaii Independent Insurance Agents Association; Society for Human Resource Management-Hawaii Chapter; HJB Convenience Corporation; Westaff



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Hawaii; Hawaiian Electric Co. Inc.; Maui Electric Company, LTD.; Hawaii Electric Light Company, Inc.; Property Casualty Insurers Association of America; Hawaii Employers' Mutual Insurance Company, Inc.; Eagle Construction Company; Tawhiri Power, and numerous concerned individuals testified in opposition to this measure. The Department of Human Resources Development and several concerned individuals provided comments.

Your Committee has amended this bill by:

- Changing the appropriation for three workers' compensation hearing officer positions and two office assistant positions in DLIR from \$194,000 to an unspecified amount;
- (2) Inserting a provision repealing this measure in two years with a sunset date of June 30, 2013;
- (3) Changing its effective date to July 1, 2030, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Finance that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 466, H.D. 2, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 466, H.D. 3.

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

MARCUS R. OSHIRO, Chair



H9CR 719

State of Hawaii House of Representatives The Twenty-sixth Legislature

Record of Votes of the Committee on Finance

Bill/Resolution No.:	Committe	e Referral:		ate:	
HB 466, HDZ	LAB	CPC, FIN		31111	1
□ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: D Pass, unamended (as is) Pass, with amendments (HD) D Hold					
Pass short form bill with HD to recommit for future public hearing (recommit)					
FIN Members		Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)					· · · · · · · · · · · · · · · · · · ·
2. LEE, Marilyn B. (VC)					
3. CHONG, Pono		<i>L</i>			
4. CHOY, Isaac W.	-	~ ~			
5. COFFMAN, Denny		V			
6. CULLEN, Ty		\checkmark			
7. HAR, Sharon E.			V		· · · ·
8. HASHEM, Mark J.					
9. ICHIYAMA, Linda		1			
10. JORDAN, Jo					
11. LEE, Chris					~
12. MORIKAWA, Dee		E			
13. TOKIOKA, James Kunane					
14. YAMASHITA, Kyle T.		2			
15. MARUMOTO, Barbara C.					
16. RIVIERE, Gil		<u> </u>			20.0
17. WARD, Gene		V			
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TOTAL (17)		[3	3	1	Q
The recommendation is: Adopted D Not Adopted					
If joint referral, did not support recommendation.					
Vice Chair's or designee's signature:Mauf 3. Lel					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					