Honolulu, Hawaii

March 2, 2012

RE: H.B. No. 2448 H.D. 2

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Sixth State Legislature Regular Session of 2012 State of Hawaii

Sir:

Your Committee on Finance, to which was referred H.B. No. 2448, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MEDICAID,"

begs leave to report as follows:

The purpose of this measure is to assist the Department of Human Services in recovering moneys owed by third parties responsible for injuries to Medicaid recipients. Specifically, this measure establishes formulas for calculating the amount to be contributed by the Department of Human Services towards a Medicaid recipient's attorney fees and costs in lieu of recovering the full amount of a lien for reimbursement for medical expenses on its own.

The Attorney General and Hawaii Association for Justice supported the measure.

Your Committee notes that the Attorney General requested the term "value of damages" be reinserted into the bill and defined, for the limited purpose of reimbursing Medicaid for benefits paid out, as "the total amount that a Medicaid recipient receives from a settlement or what a court or jury awards to the Medicaid recipient at trial." Your Committee respectfully requests that as this bill moves through the legislative process, future deliberations on this measure include consideration of adding the definition of "value of damages."

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. 2448, H.D. 2, and recommends that it pass Third Reading.

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

MARCUS R. OSHIRO, Chair

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

HSCR 880-12

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

	ee Referral:	Date:	2/24/	12
☐ The committee is reconsidering its previous 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)				
FIN Members	Ayes	Ayes (WR)	Nays	Excused
1. OSHIRO, Marcus R. (C)				
2. LEE, Marilyn B. (VC)	<b>"</b>			
3. CHOY, Isaac W.	1			
4. CULLEN, Ty	-			
5. GIUGNI, Heather			71	
6. HAR, Sharon E.			_	
7. HASHEM, Mark J.	~			
8. ICHIYAMA, Linda				
9. JORDAN, Jo				
10. KAWAKAMI, Derek S.K.			<u></u>	
11. LEE, Chris				
12. MORIKAWA, Dee				
13. TOKIOKA, James Kunane			•	~
14. YAMASHITA, Kyle T.			•	
15. MARUMOTO, Barbara C.	<u> </u>			
16. RIVIERE, Gil	~			
17. WARD, Gene				~
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			_	
TOTAL (17)	13	0	0	4
The recommendation is: Adopted   Not Adopted				
If joint referral, did not support recommendation.  committee acronym(s)				
Vice Chair's or designee's signature: Marily B. Lee				
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