## STAND. COM. REP. NO.

Honolulu, Hawaii March 21 , 2017

RE: S.B. No. 859 S.D. 1 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2017 State of Hawaii

Sir:

Your Committee on Labor & Public Employment, to which was referred S.B. No. 859, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to allow an employee to have a chaperone present during a medical examination relating to a work injury under workers' compensation and, with the examining physician or surgeon's approval, use a recording device during the medical examination.

The Hawaii Medical Association, Hawaii Injured Workers Association, International Longshore and Warehouse Union Local 142, Vocational Management Consultants, Inc., Work Injury Medical Association of Hawaii, International Brotherhood of Electrical Workers Local Union 1260, AFL-CIO, and several individuals testified in support of this measure. The Department of Labor and Industrial Relations testified in support of the intent. The Hawaii Insurers Council, General Contractors Association of Hawaii, The Chamber of Commerce Hawaii, and Hawaiian Electric Co. Inc., and its subsidiaries Maui Electric Company, Ltd., and Hawaii Electric Light Company, Inc. testified in opposition. The Department of Human Resources Development and Department of Human Resources of the City and County of Honolulu provided comments.



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Your Committee has amended this measure by clarifying that an employee's designated chaperone is prohibited from obstructing an examination in the same manner and subject to the same penalties as the employee.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 859, S.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 859, S.D. 1, H.D. 1, and be referred to your Committee on Finance.

> Respectfully submitted on behalf of the members of the Committee on Labor & Public Employment,



## HSCR 1188

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

## Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: Sb 859 SD1	7 SD1 Committee Referral: LAB, FIN			Date: 3/14/17		
□ The committee is reconsidering its previous decision on the measure.						
The recommendation is to: <ul> <li>Pass, unamended (as is)</li> <li>Pass, with amendments (HD)</li> <li>Hold</li> <li>Pass short form bill with HD to recommit for future public hearing (recommit)</li> </ul>						
LAB Members		Ayes	Ayes (WR)	Nays	Excused	
1. JOHANSON, Aaron Ling (C)						
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2. HOLT, Daniel (VC)			X	n andere de reest meres antenes	e	
3. KEOHOKALOLE, Jarrett			TAISHILTIMATA - SALAN,			
4. NAKASHIMA, Mark M.						
5 VAMASIUTA K-lo T						
5. YAMASHITA, Kyle T.						
6. MATSUMOTO, Lauren Kea	lohilani					
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TOTAL (6)		6				
The recommendation is:       Image: Adopted in the provided of the pro						
Vice Chair's or designee's signature:						
Distribution:         Original (White) - Committee         Duplicate (Yellow) - Chief Clerk's Office         Duplicate (Pink) - HMSO						

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