STAND. COM. REP. NO. **606** -18

Rebruay 6, 2018

RE: H.B. No. 1906 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committees on Labor & Public Employment and Health & Human Services, to which was referred H.B. No. 1906 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE WORKERS,"

beg leave to report as follows:

The purpose of this measure is to deter the assault and abuse of healthcare professionals providing necessary care by increasing the penalty of assault of a health care worker from a misdemeanor to a class C felony.

Healthcare Association of Hawaii; American Organization of Nurse Executives; Kaiser Permanente Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Legacy of Life Hawaii; The Queen's Health Systems; Hawaii Pacific Health; Hawaii Primary Care Association; Hawaii Medical Association; and several concerned individuals supported this measure. The Department of Health supported the intent of this measure. The Department of the Attorney General and Hawaii Medical Service Association provided comments.

Your Committees note the concerns regarding whether this measure is necessary to provide health care workers appropriate protections and should your Committee on Judiciary deliberate on this measure, your Committees respectfully request that it consider whether certain health care workers are already afforded

higher protections in the existing statute for assault in the second degree.

Your Committees have amended this measure by:

- (1) Clarifying that a health care worker employed or contracted to work by a mutual benefit society to provide health services such as case management services to an individual in a hospital, healthcare provider's office, home, or other setting, while engaged in the performance of those services is included in the protections provided in this measure;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Health & Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1906, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1906, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Labor & Public Employment and Health & Human Services,

JOHN M. MIZUNO, C**K**a

ARON LINK JOHANSON, Chair

State of Hawaii
House of Representatives
The Twenty-ninth Legislature

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

Bill/Resolution No.:  HB 1906	Committee Referral:  LAB/HHS, JU.	Date:	13FEB 18	3		
☐ The committee is reconsidering its pre	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)						
LAB Members	Ayes	Ayes (WR)	Nays	Excused		
1. JOHANSON, Aaron Ling (C)				As the winds of a constant of the		
2. HOLT, Daniel (VC)	7					
3. EVANS, Cindy						
4. ICHIYAMA, Linda						
5. KEOHOKALOLE, Jarrett						
6. YAMASHITA, Kyle T.						
7. MATSUMOTO, Lauren Kealol	hilani					
TOTAL (7)	6	0	O			
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						

State of Hawaii House of Representatives The Twenty-ninth Legislature

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## Record of Votes of the Committee on Health & Human Services

HB1906	LAB/HHS, J	TUD Date:	2-13-	(8				
☐ 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)								
HHS Members	Ayes	Ayes (WR)	Nays	Excused				
1. MIZUNO, John M. (C)								
2. KOBAYASHI, Bertrand (VC)								
3. BELATTI, Della Au			unu mana a lana a la					
A LEADMONT I : D								
4. LEARMONT, Lei R.								
5. TUPOLA, Andria P.L.			<u> </u>					
J. TOTODIN, IMILIA I.D.								
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TOTAL (5)	,							
TOTAL (5)	5							
The recommendation is:  Adopted  If joint referral, did not support recommendation.  committee acronym(s)								
Vice Chair's or designee's signature:								
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