Honolulu, Hawaii

March 2

, 2018

RE: H.B. No. 1906

H.D. 2

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

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1906, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to increase the penalty for assault of a health care worker from a misdemeanor to a Class C felony.

The Board of Nursing; Hawaii Health Systems Corporation; East Hawaii Region of Hawaii Health Systems Corporation; Queen's Health Systems; Healthcare Association of Hawaii; One Kalakaua Senior Living; United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Kaiser Permanente Hawai'i; Hawai'i Primary Care Association; Legacy of Life Hawaii; Hawaii Nurses Association, OPEIU Local 50, AFL-CIO; Hawai'i Pacific Health; Hawaii Medical Association; Country Talk Story; and numerous individuals testified in support of this measure. The Department of Health supported the intent of this measure. The Office of the Public Defender testified in opposition. The Department of the Attorney General and Hawaii Medical Service Association provided comments.

Your Committee has amended this measure by:

- (1) Deleting the purpose statement;
- (2) Deleting administrators, students, volunteers, and any other workers who support the functions of the health care facility from the definition of "a person who is engaged in the performance of a duty at a health care facility";
- (3) Narrowing the offense for assaulting a person employed or contracted to work by a mutual benefit society to only include persons who are employed or contracted to provide case management services to an individual in a hospital, health care provider's office, or home; 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 Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1906, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1906, H.D. 2.

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

SCOTT Y. NISHIMOTO, Chair

HB1906 HD2 HSCR JUD HMS 2018-2789



State of Hawaii House of Representatives The Twenty-ninth Legislature

HSCR 1121-18

Record of Votes of the Committee on Judiciary

Bill/Resolution No.:	Committee Referral:			
HB 1906 HDI	LAB/HHS , JUD		03/01/2018	
☐ 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)				
JUD Members	Ayes	Ayes (WR)	Nays	Excused
1. NISHIMOTO, Scott Y. (C)				
2. SAN BUENAVENTURA, Joy A. (VC)				
3. BROWER, Tom				
4 IEE Chris				
4. LEE, Chris				
5. MORIKAWA, Dee				<u> </u>
6. TAKAYAMA, Gregg				
7. McDERMOTT, Bob			. Co. App. on Principal in the Administration of the Co.	e de la companya de l La companya de la co
8. THIELEN, Cynthia				- <u></u>
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TOTAL (8)	8			
The recommendation is: Adopted If joint referral, did not support recommendation. committee aeronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White)—Committee Deplicate (Yellow)—Chief Clerk's Office Duplicate (Pink)—HMSO				