STAND. COM. REP. NO. 294-18

Honolulu, Hawaii

February 13, 2018

RE: H.B. No. 2202 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 Consumer Protection & Commerce, to which was referred H.B. No. 2202, H.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 require that physicians or surgeons, selected and paid for by employers to perform an independent medical examination on employees relating to a workers' compensation work injury, be duly qualified to treat the injury being examined, possess medical malpractice insurance, and owe the same duty of care to the injured employee as to a traditional patient.

The Department of Labor and Industrial Relations, Department of Human Resources of the City and County of Honolulu, Automated HealthCare Solutions, Brewer Consulting Services, and two individuals supported this measure.

Your Committee has amended this measure by changing its effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2202, H.D. 1, as amended herein, and

STAND. COM. REP. NO. **294**-18 Page 2

recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2202, H.D. 2.

Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

ROY M. TAKUMI, Chair

State of Hawaii
House of Representatives
The Twenty-ninth Legislature

## **Record of Votes of the Committee on Consumer Protection & Commerce**

|  | ittee Referral:<br>3, CPC, FIN                           | Date:     | 2/9/   | 10                 |
|--|--|-----------|--|--------------------|
| ☐ 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)  |  |           |  |                    |
| <b>CPC Members</b>   | Ayes   | Ayes (WR) | Nays   | Excused            |
| 1. TAKUMI, Roy M. (C)  | /  |           |  |                    |
|  |  |           |  |                    |
| 2. ICHIYAMA, Linda (VC)  | /  |           |  | E CONTRACTOR DE LA |
|  |  |           |  |                    |
| 3. AQUINO, Henry J.C.  | <b>V</b>   |           |  |                    |
| 4. ITO, Ken  | <b>✓</b>   |           |  |                    |
| 4. 110, Ken  |  |           |  |                    |
| 5. JOHANSON, Aaron Ling  | <b>√</b>   |           | Fire the second second will be seen to be se |                    |
|  |  |           |  |                    |
| 6. LoPRESTI, Matthew S.  |  |           | - Charles - Char |                    |
|  |  |           |  |                    |
| 7. MIZUNO, John M.   | ✓  |           |  |                    |
|  |  |           |  |                    |
| 8. SAY, Calvin K.Y.  | V  |           |  |                    |
|  |  |           |  |                    |
| 9. TOKIOKA, James Kunane   |  |           |  |                    |
| 10. YAMANE, Ryan I.  |  |           |  | ✓ <b>/</b>         |
| 10. Trivia de la companya de la comp | · · · · · · · · · · · · · · · · · · ·                    |           |  |                    |
| 11. McDERMOTT, Bob   | Agailland I annium annium ann agus agus ann an an Annium |           |  | <b> </b>           |
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|  |  |           |  |                    |
| TOTAL (11)   | 9  | O         | 0  | 3                  |
| The recommendation is: Adopted  Not Adopted  |  |           |  |                    |
| If joint referral, did not support recommendation.   |  |           |  |                    |
| Vice Chair's or designee's signature:  |  |           |  |                    |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO   |  |           |  |                    |