STAND. COM. REP. NO. 2847

Honolulu, Hawaii

FEB 1 4 2020

RE: S.B. No. 3044 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred S.B. No. 3044 entitled:

"A BILL FOR AN ACT RELATING TO OFFENSES AGAINST HEALTH CARE SECURITY PROFESSIONALS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify the offense of assault in the second degree of a health care security professional as a class C felony.

Your Committee received testimony in support of this measure from Adventist Health Castle, Hawai'i Primary Care Association, Healthcare Association of Hawaii, The Queen's Health Systems, Hawaii Pacific Health, Staub Medical Center, Hilo Medical Center, The Queen's Medical Center - West Oahu, Pali Momi Medical Center, Wilcox Medical Center, Kapi'olani Medical Center for Women and Children, Queen's North Hawai'i Community Hospital, and four individuals. Your Committee received testimony in opposition to this measure from the Office of the Public Defender.

Your Committee finds that, unfortunately, violence against health care workers is not uncommon. According to the Occupational Safety and Health Administration, incidents of serious workplace violence are four times more common in health care than in private sectors. Health care security professionals provide the first line of defense in ensuring the safety of

everyone at their respective facilities. By not granting health care security professionals the same legal protections that are afforded to the rest of the health care team, the risks they face and the work they do is inappropriately undervalued. This measure helps to rightfully recognize those risks that health care security professionals face at work each day and helps to establish parity for the protections of those working in health care.

Your Committee notes the concerns raised by the Office of the Public Defender that this measure is overly broad and should be more narrowly tailored. While your Committee finds that this measure is limited to protecting health care security professionals while they are engaged in the performance of their duties at a health care facility and does not offer a special category of protection while generally out in public, your Committee requests that your Committee on Judiciary further examine the concerns raised by the Office of the Public Defender.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 2, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3044, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3044, S.D. 1, and be referred to your Committee on Judiciary.

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

ROSALYN H. BAKER, Chair

## The Senate Thirtieth Legislature State of Hawai'i

## Record of Votes Committee on Commerce, Consumer Protection, and Health CPH

Bill / Resolution No.:*	Committee Referral:			Date:		
SB 3044	CPH, JDC			7/13/70		
The Committee is reconsidering its previous decision on this measure.						
If so, then the previous decision was to:						
The Recommendation is:						
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313						
Members	-	Aye	Aye (WI	R)	Nay	Excused
BAKER, Rosalyn H. (C)		1				
CHANG, Stanley (VC)		1				
NISHIHARA, Clarence K.		U				
RUDERMAN, Russell E.		✓				
THIELEN, Laura H.						,
WAKAI, Glenn		<b>V</b>				
FEVELLA, Kurt						7
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TOTAL		6				(
Recommendation:  Adopted  Not Adopted						
Chair's or Designee's Signature:						
<b>Distribution</b> : Original File with Committee Re	bution:         Original         Yellow         Pink           File with Committee Report         Clerk's Office         Drafting Age					enrod File Copy

\*Only one measure per Record of Votes