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# HOUSE CONCURRENT RESOLUTION

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REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO  
SURVEY WHETHER AND HOW WORKERS' COMPENSATION LAWS IN OTHER  
STATES ARE USED TO COVER EMPLOYEE DISABILITIES CAUSED BY  
MULTIPLE CHEMICAL SENSITIVITIES.

1 WHEREAS, although no consensus has been reached for a case  
2 definition of "multiple chemical sensitivities", according to  
3 the National Institutes of Health's National Institute of  
4 Environmental Health Sciences, the term, also known as "20th  
5 Century Syndrome", "environmental illness", "sick building  
6 syndrome", idiopathic environmental intolerance, and TILT  
7 (toxicant-induced loss of tolerance), can be defined as a  
8 chronic, recurring disease caused by a person's inability to  
9 tolerate an environmental chemical or class of foreign  
10 chemicals; and

11  
12 WHEREAS, multiple chemical sensitivities has been described  
13 as a group of sensitivities to extraordinarily low levels of  
14 environmental chemicals appearing to develop in some individuals  
15 without prior history following acute or chronic exposure to a  
16 wide variety of environmental agents including various  
17 pesticides, solvents, drugs, and air contaminants in so-called  
18 sick buildings; and

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20 WHEREAS, some researchers contend that the term multiple  
21 chemical sensitivities refer to complaints of patients who  
22 report recurrent nonspecific symptoms referable to multiple  
23 organ systems that the sufferers believe are provoked by  
24 exposure to low levels of chemical, biological, or physical  
25 agents, yet other researchers have found no consistent physical  
26 findings or laboratory abnormalities to differentiate multiple  
27 chemical sensitivities patients from the remainder of the  
28 population; and

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30 WHEREAS, while some researchers espouse various theories as  
31 to the causes of multiple chemical sensitivities, other



1 researchers either doubt the existence of the disease as there  
2 is little concrete evidence to support it, or suspect a  
3 psychosomatic cause; and

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5 WHEREAS, it is in the interest of the State of Hawaii to  
6 protect its workers who suffer from multiple chemical  
7 sensitivities; now, therefore,

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9 BE IT RESOLVED by the House of Representatives of the  
10 Twenty-fourth Legislature of the State of Hawaii, Regular  
11 Session of 2007, the Senate concurring, that the Department of  
12 Labor and Industrial Relations is requested to survey whether  
13 and how workers' compensation laws in other states are used to  
14 cover employee disabilities caused by multiple chemical  
15 sensitivities; and

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17 BE IT FURTHER RESOLVED that the Department of Labor and  
18 Industrial Relations is further requested to include in its  
19 report:

- 20 (1) The results of consultations with the Department's  
21 counterparts in other states to determine how other  
22 states handle workers' compensation cases involving  
23 multiple chemical sensitivities; and  
24 (2) The standard of proof, the amount, type, and quality  
25 of evidence that must be presented in this State to  
26 demonstrate or otherwise prove to the satisfaction of  
27 the Department that a person's multiple chemical  
28 sensitivities claim is work-related; and  
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30 BE IT FURTHER RESOLVED that the Department of Labor and  
31 Industrial Relations is requested to submit any findings and  
32 recommendations, including any necessary proposed legislation,  
33 to the Legislature not later than twenty days prior to the  
34 convening of the Regular Session of 2008; and

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36 BE IT FURTHER RESOLVED that a certified copy of this  
37 Concurrent Resolution be transmitted to the Director of Labor  
38 and Industrial Relations.

