

Honolulu, Hawaii

April 25, 2008

RE: H.B. No. 2388
H.D. 1
S.D. 2
C.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 2388, H.D. 1, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this bill is to protect the health and welfare of injured workers by:

- (1) Ensuring that injured employees receive uninterrupted medical care, even when disputes arise over a treatment plan or whether treatment should be continued; and
- (2) Creating a temporary working group to consider the issues raised by this bill.



Although proper medical treatment is the best method of returning an employee to gainful employment in a timely and efficient manner, the adversarial nature of the workers' compensation system often makes medical treatment a point of contention between the employee and employer. Your Committee on Conference finds that ensuring that medical treatment of an employee is continued until a decision is rendered by the Director of Labor and Industrial Relations on the appropriateness of the treatment, is in the best interest of both the employee and employer.

Your Committee on Conference has amended this bill by:

- (1) Deleting language creating the temporary working group;
- (2) Changing its effective date to July 1, 2008; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 2388, H.D. 1, S.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 2388, H.D. 1, S.D. 2, C.D. 1.

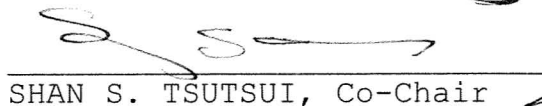
Respectfully submitted on behalf
of the managers:

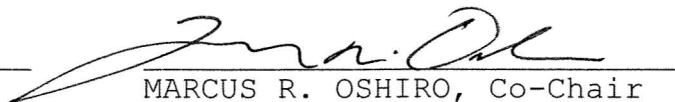
ON THE PART OF THE SENATE

ON THE PART OF THE HOUSE


BRIAN T. TANIGUCHI, Chair


ALEX M. SONSON, Co-Chair


SHAN S. TSUTSUI, Co-Chair


MARCUS R. OSHIRO, Co-Chair



Hawaii State Legislature

CCR 94-08

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: HB 2388, HD 1, SD 2	Date/Time: 4/24/08 3:35 pm
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The recommendation of the House and Senate managers is to pass with amendments (CD).


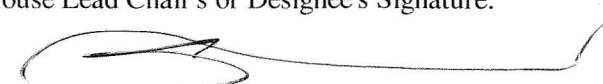
The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
TANIGUCHI, Brian T., Chr.	✓				SONSON, Alex M., Co-Chr.	✓			
TSUTSUI, Shan S., Co-Chr.	✓				OSHIRO, Marcus R., Co-Chr.	✓			
HEE, Clayton				✓	MCKELVEY, Angus L.K.	✓			
					WARD, Gene, Ph.D.	✓			
TOTAL	2 0 0 1				TOTAL	4 0 0 0			

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature: 
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