

HOUSE OF REPRESENTATIVES
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2009

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COMMITTEE ON HEALTH

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Rep. Tom Brower Rep. Lynn Finnegan
Rep. Mele Carroll

NOTICE OF HEARING

DATE: Tuesday, February 10, 2009
TIME: 8:30 a.m.
PLACE: Conference Room 329
 State Capitol
 415 South Beretania Street

A G E N D A

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|---------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|
| <u>HB 1784</u> <u>Status</u> | RELATING TO MEDICAL TORTS. Limits the amount awarded for non-economic damages in medical tort cases to \$750,000 aggregate and \$250,000 per physician, healthcare provider, healthcare facility, and any other involved parties. Sets the award limit for non-economic damages in cases of gross negligence at \$3,000,000. | HLT, JUD |
| <u>HB 1514</u> <u>Status</u> | RELATING TO MEDICAL TORTS. Places a ceiling on non-economic damages in medical torts involving neurologists and neurosurgeons. | HLT, JUD |
| <u>HB 1636</u> <u>Status</u> | RELATING TO EMERGENCY MEDICAL PHYSICIANS. Provides additional protection for physicians who render medical services in genuine emergency situations involving an immediate threat of death or serious bodily injury. | HLT, JUD |
| <u>HB 1785</u> <u>Status</u> | RELATING TO MEDICAL MALPRACTICE CLAIMS. Establishes a medical malpractice damages task force to develop a strategic plan to address the high costs of medical malpractice insurance rates and make recommendations on damage award ranges and guidelines for medical malpractice claims. | HLT, CPC/JUD, FIN |
| <u>HB 310</u> <u>Status</u> | RELATING TO MEDICAL TORTS. In medical tort litigation authorizes the court to impose sanctions on a party whose rejection of the Medical Claim Conciliation Panel decision resulted in the trial and who at trial fails to improve on the panel's award by increasing or decreasing it by at least 30 percent. | HLT, JUD |



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| <u>HB 575</u> <u>Status</u> | RELATING TO MEDICAL TORTS. Requires claimants who reject the medical claim conciliation panel's award of damages and pursue litigation to pay the health care provider's attorneys' fees, costs, and cost of the provider's time, unless the litigation results in an award of more than 200% of the panel's award. Requires claimants who reject the panel's finding of no negligence and pursue litigation to pay the attorneys' fees and costs of all defendants, unless the result of litigation is a judgment in favor of the claimant. | HLT, JUD |
| <u>HB 807</u> <u>Status</u> | RELATING TO THE MEDICAL CLAIM CONCILIATION PANEL. Prohibits the medical claim conciliation panel from filing claims brought after statute of limitations expires. Authorizes the panel to dismiss frivolous or non-meritorious claims. Requires the panel to provide a copy of the certificate of consultation to the health care providers. | HLT, JUD |
| <u>HB 718</u> <u>Status</u> | RELATING TO MEDICAL MALPRACTICE CAPTIVE INSURANCE. Forms a captive insurance company to provide medical malpractice insurance to self-employed medical doctors. | HLT, CPC/JUD, FIN |
| <u>HB 439</u> <u>Status</u> | RELATING TO MEDICAL INJURIES. Establishes a working group to review the concept of health courts to handle medical injury claims and report its findings to the legislature. | HLT, JUD, FIN |
| <u>HB 1539</u> <u>Status</u> | RELATING TO MEDICAL TREATMENT. Requires a health care provider to disclose to patients adverse events relating to their medical treatment. | HLT, JUD/CPC |
| <u>HB 1540</u> <u>Status</u> | RELATING TO MEDICAL TREATMENT. Requires the Hawaii medical board to collect and publish information about physicians licensed in the State to allow consumers to make informed decisions in selecting physicians. | HLT, CPC/JUD |
| <u>HB 532</u> <u>Status</u> | RELATING TO MEDICAL AMNESTY. Establishes limited immunity for individuals who seek medical assistance for victims of drug overdoses. | HLT, JUD |
| <u>HB 1317</u> <u>Status</u> | RELATING TO RURAL PHYSICIANS TAX CREDIT. Provides a tax credit on a sliding scale for amounts paid for medical malpractice insurance premiums by physicians that move to, and practice medicine in, rural areas. | HLT, JUD, FIN |

DECISION MAKING TO FOLLOW

Persons wishing to offer comments should submit testimony at least 24 hours prior to the hearing with a transmittal cover indicating:

- Testifier's name with position/title and organization;
- The Committee the comments are directed to;
- The date and time of the hearing;
- Measure number; and
- The number of copies the Committee is requesting.



While every effort will be made to copy, organize, and collate all testimony received, materials received on the day of the hearing or improperly identified or directed to the incorrect office, may be distributed to the Committee after the hearing.

Submit testimony in ONE of the following ways:

PAPER: 3 copies (including an original) to Room 441 in the State Capitol;

FAX: For comments less than 5 pages in length, transmit to 586-8519 (Oahu) or 1-800-535-3859 (Neighbor Islands); or

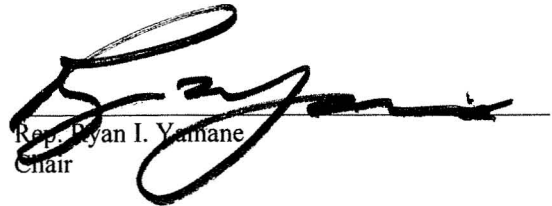
EMAIL: For comments less than 5 pages in length, transmit to hltestimony@capitol.hawaii.gov.

Testimony submitted will be placed on the Legislative Web site after the hearing adjourns. This public posting of testimony on the Web site should be considered when including personal information in your testimony.

If during the course of the hearing it appears that there will not be sufficient time to allow everyone to be heard, the chairperson reserves the right to limit the remaining testifiers to three minutes. This three minute policy will be enforced to ensure fairness and adequate consideration to all bills.

If you require special assistance or auxiliary aids and/or services to participate in the House public hearing process (i.e., sign or foreign language interpreter or wheelchair accessibility), please contact the Committee Clerk at 586-6150 or email your request for an interpreter to HouseInterpreter@Capitol.hawaii.gov at least 24 hours prior to the hearing for arrangements. Prompt requests submitted help to ensure the availability of qualified individuals and appropriate accommodations.

Selected meetings are broadcast live. Check the current legislative broadcast schedule on the "Capitol TV" Web site at www.capitoltv.org OR call 550-8074.


Rep. Ryan I. Yamane
Chair

