

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

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NOTICE OF HEARING

DATE: Tuesday, February 24, 2009
TIME: 2:05 p.m.
PLACE: Conference Room 325
State Capitol
415 South Beretania Street

A G E N D A

HB 1514, HD1
(HSCR447)
Status

RELATING TO MEDICAL TORTS.
Places a ceiling on non-economic damages in medical torts involving neurologists and neurosurgeons and reduces insurance premiums for malpractice liability coverage. Requires a health care provider to disclose to patients adverse events relating to their 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. Establishes a medical malpractice damages task force to provide support in implementing the provisions of this Act. (HB1514 HD1)

HLT, JUD

HB 1636
(HSCR461)
Status

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

HB 1784, HD1
(HSCR505)
Status

RELATING TO MEDICAL TORTS.
Limits the amount awarded for non-economic damages in medical tort cases to \$250,000 per physician specialist. Sets the award limit for non-economic damages in cases of gross negligence at \$3,000,000. Requires a health care provider to disclose to patients adverse events relating to their 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. (HB1784 HD1)

HLT, JUD



<u>HB 310, HD1</u> <u>(HSCR462)</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's 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. (HB310 HD1)	HLT, JUD
<u>HB 1537</u> <u>(HSCR503)</u> <u>Status</u>	RELATING TO AUTOMATED EXTERNAL DEFIBRILLATORS. Specifies that any person who provides for an automated external defibrillator training program is generally immune from vicarious civil liability resulting from any act or omission of a Good Samaritan attempting to use the device to resuscitate a person.	HLT, JUD
<u>HB 366, HD1</u> <u>(HSCR164)</u> <u>Status</u>	RELATING TO MANTA RAYS. Establishes fines and penalties for any person who knowingly captures or kills a manta ray within state marine waters. (HB366 HD1)	WLO, JUD
<u>HB 730</u> <u>Status</u>	RELATING TO CRUELTY TO ANIMALS. Repeals existing prohibition against dog fighting and enacts more comprehensive prohibition of dog fighting and related conduct. Provides enhanced penalties.	JUD
<u>HB 382</u> <u>Status</u>	RELATING TO STATE TORT LIABILITY. Requires notification of pending class action against the State to the Governor, President of the Senate, and Speaker of the House at prior to the filing of the lawsuit. Requires service of the lawsuit to the Senate President and House Speaker. Effective January 1, 2010.	JUD
<u>HB 441, HD1</u> <u>(HSCR319)</u> <u>Status</u>	RELATING TO CHILD CARE. Creates penalties for child care facility providers who misrepresent material information about their child care center operations to the guardians or parents of a prospective or current child at the center, an employee of the department of human services, or any law enforcement officer. (HB441 HD1)	HUS, JUD
<u>HB 999</u> <u>Status</u>	RELATING TO MEETINGS OF PUBLIC AGENCIES. Requires notice of state-board meetings to be posted on the central State of Hawaii Internet website. Eliminates the requirement that notice of state-board meetings be filed in the Office of the Lieutenant Governor.	JUD
<u>HB 1101, HD1</u> <u>(HSCR334)</u> <u>Status</u>	RELATING TO INVESTIGATORS OF THE DEPARTMENT OF HUMAN SERVICES. Authorizes the Director of Human Services to appoint and commission investigators to investigate incidents at the Hawaii youth correctional facilities, and gives these investigators access to necessary information maintained by state and county entities. Takes effect January 1, 2050. (HB1101 HD1)	HUS, JUD
<u>HB 140</u> <u>(HSCR391)</u> <u>Status</u>	RELATING TO THE STATEWIDE TRAFFIC CODE. Gives counties the ability to regulate the use of electric personal assistive mobility devices on sidewalks.	TRN, JUD



<u>HB 874, HD1</u> <u>(HSCR606)</u> <u>Status</u>	RELATING TO RESIDENTIAL REAL PROPERTY. Prohibits residential real property transfer fees required by a deed restriction or covenant, with certain exceptions. Effective 11/1/09. (HB874 HD1)	CPC, JUD
<u>HB 1212</u> <u>Status</u>	RELATING TO INFORMATION PRACTICES. Removes records of complaints from the exceptions to the types of information that are not subject to disclosure as public documents.	JUD
<u>HB 1414</u> <u>(HSCR105)</u> <u>Status</u>	RELATING TO METAL. Repeals the 07/01/09 "sunset" date in Act 53, SLH 2008, that established the misdemeanor offense of theft of beer keg and imposed recordkeeping requirements on scrap metal dealers that purchase beer kegs. Effective 06/30/09.	CPC, JUD
<u>HB 1316, HD1</u> <u>(HSCR171)</u> <u>Status</u>	RELATING TO TORTS. Abolishes joint and several liability for design professionals in tort claims relating to the maintenance and design of public highways, except when the design professional's degree of negligence is 25% or more. Effective 01/01/2020. (HB1316 HD1)	CPC, JUD
<u>HB 866, HD1</u> <u>(HSCR562)</u> <u>Status</u>	RELATING TO HIGH OCCUPANCY VEHICLE LANES. Allows all motor vehicles, regardless of number of persons on board, to use high occupancy vehicle lanes or zipper lanes when one or more lanes of traffic have been shut down by law enforcement officers or emergency services personnel. Requires the Department of Transportation to develop protocols for their use. (HB866 HD1)	TRN, JUD
<u>HB 1422</u> <u>(HSCR560)</u> <u>Status</u>	RELATING TO ABANDONED VEHICLES. Allows counties to remove abandoned motor vehicles from private roads.	TRN, JUD
<u>HB 758</u> <u>(HSCR132)</u> <u>Status</u>	RELATING TO IMPOUNDMENT OF VEHICLES. Authorizes and sets forth procedures for impounding a motor vehicle after a person has been fined three or more times for operating a vehicle without a valid certificate of inspection, or for operating a vehicle without being duly licensed, without a valid insurance card, or without a valid insurance policy.	TRN, JUD

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: 1 (one) copies (including an original) to Room 302 in the State Capitol;

FAX: For comments less than 5 pages in length, transmit to 586-8494 (Oahu) or 1-800-535-3859 (Neighbor Islands); or

EMAIL: For comments less than 5 pages in length, transmit to JUDtestimony@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 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 586-8490 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.

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Rep. Jon Riki Karamatsu
Chair

