

STAND. COM. REP. NO.

542

Honolulu, Hawaii

FEB 20, 2009

RE: H.B. No. 1390

H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1390 entitled:

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

begs leave to report as follows:

The purpose of this bill is to provide prompt medical treatment for injured workers by:

- (1) Increasing the availability of medical care for injured workers; and
- (2) Encouraging more physicians to accept industrial accident claims.

Specifically, this bill increases the fee schedule of compensation for medical care in workers' compensation cases from 110 per cent to 150 per cent of the Medicare Resource Based Relative Value Scale system applicable to Hawaii as prepared by the United States Department of Health and Human Services.

The Hawaii Chapter - American Physical Therapy Association, Hawaii Medical Association, ILWU Local 142, and Hawaii State Chiropractic Association testified in support of this bill. The Department of Labor and Industrial Relations, Department of Human Resources Development, City and County of Honolulu, American Insurance Association, Hawaii Insurers Council, State Farm Insurance Companies, GEICO, and Property Casualty Insurers

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Association of America opposed this measure. The Department of Commerce and Consumer Affairs offered comments.

Your Committee has amended this bill by blanking out the percentage of the Medicare Resource Based Relative Value Scale system applicable to Hawaii, on which the fee schedule of compensation for medical care in workers' compensation cases shall be based.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1390, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 1390, H.D. 1.

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



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ROBERT N. HERKES, Chair



