

STAND. COM. REP. NO.

2989

Honolulu, Hawaii

APR - 1 2010

RE: H.B. No. 2349
H.D. 1
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committee on Judiciary and Government Operations, to which was referred H.B. No. 2349, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO VIOLENCE AGAINST HEALTH CARE PERSONNEL,"

begs leave to report as follows:

The purpose of this measure is to extend the offenses of assault in the second degree and terroristic threatening in the first degree to include actions committed against emergency medical services personnel to include a physician, physician's assistant, nurse, or nurse practitioner who provides medical services in the emergency room of a hospital.

Written comments in support of the measure were submitted by two private organizations. Written comments presented to your Committee may be reviewed on the Legislature's website.

Your Committee received comments indicating that violence against healthcare personnel appears to be on the rise. Emergency department workers routinely find themselves at increased violence due to the high volatility of the emergency patient population, with an increasing number of patients and visitors using drugs and alcohol, or having psychiatric disorders or dementia, which make them more prone to violence. Nationally, studies have shown that between thirty-five per cent and eighty per cent of hospital staff have been physically assaulted at least once and that nurses are at an increased risk for violence while on duty. Your Committee

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finds that extending the offenses of assault in the second degree and terroristic threatening in the first degree to include actions committed against emergency medical services personnel in emergency rooms is a logical extension of the current provisions covering emergency response personnel.

Your Committee has amended this measure by inserting an effective date of July 1, 2050, to ensure further discussion on this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary and Government Operations that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2349, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2349, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Government Operations,

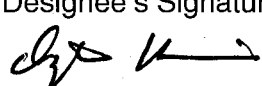


BRIAN T. TANIGUCHI, Chair



The Senate
 Twenty-Fifth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Government Operations
JGO

Bill / Resolution No.:* HB 2349, HDI, SDI	Committee Referral: HTH, JGD	Date: 3/23/10		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
TAKAMINE, Dwight Y. (VC)	✓			
BUNDA, Robert				✓
GABBARD, Mike	✓			
NISHIHARA, Clarence K.			✓	✓
SLOM, Sam			✓	
TOTAL	3	0	1	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes