

STAND. COM. REP. NO. 215

Honolulu, Hawaii
Feb 13, 2009

RE: H.B. No. 439
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 Health, to which was referred H.B. No. 439
entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL INJURIES,"

begs leave to report as follows:

The purpose of this bill is to improve the adjudication of
medical injury claims by establishing a working group on the
establishment of a health court (Working Group), under the
Department of Health (DOH), to study the concept of health courts,
and determine the appropriate structure and features of a state
health court system.

The Hawaii Association of Health Plans supported this bill.
DOH opposed this measure. The Hawaii Association for Justice
(HAJ), Hawaii Medical Association, and a concerned individual
submitted comments.

Upon further consideration and in light of public testimony
for this measure, your Committee has amended this measure by:

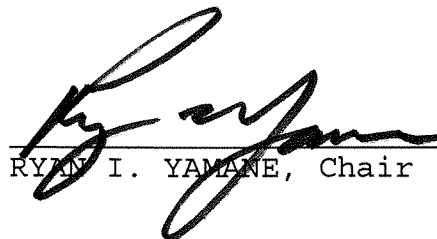
- (1) Removing the President of the Hawaii State Bar
Association from membership on the Working Group, and,
instead, adding the President of HAJ, or designee, as a
member of the Working Group;



- (2) Adding the Dean of the University of Hawaii John A. Burns School of Medicine, or designee, as a member of the Working Group;
- (3) Changing its effective date to July 1, 2020, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 439, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 439, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committee on Health,



RYAN I. YAMANE, Chair



