

STAND. COM. REP. NO.

100

Honolulu, Hawaii

Feb 8, 2011

RE: H.B. No. 463  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committees on Labor & Public Employment and Economic Revitalization & Business, to which was referred H.B. No. 463 entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL AND REHABILITATION BENEFITS,"

beg leave to report as follows:

The purpose of this bill is to ensure the proper and expedient treatment of injured employees by allowing employee-selected physicians or surgeons to conduct diagnostic testing or engage in a one-time consultation for subspecialty diagnostic evaluation and treatment recommendations from a board-certified or licensed specialist.

The Department of Labor and Industrial Relations (DLIR), Hawaii Injured Workers Alliance, ILWU Local 142, Hawaii Medical Association, Hawaii Chapter-American Physical Therapy Association, Work\*Star Injury Recovery Center, and several concerned individuals testified in support of this bill. The Department of Human Resources Development, City and County of Honolulu Department of Human Resources, County of Hawaii Department of Human Resources, Hawaii Insurers Council, and Property Casualty Insurers Association of America testified in opposition to this measure.

HB463 HD1 HSCR LAB-ERB HMS 2011-1763



Your Committee finds that currently, injured employees' treatment is being delayed while awaiting approval for certain health care services. This is detrimental to the efficient and effective treatment of an injured employee, and ultimately increases treatment and recovery time, and costs incurred for treatment.

Allowing employee-selected physicians or surgeons the option to conduct diagnostic testing or make one referral to a board-certified or licensed specialist will allow for accurate and immediate diagnosis, which is essential to determining the best and most effective treatment plan.

Your Committees have amended this bill by:

- (1) Adding language to clarify that no more than one consultation for subspecialty services is authorized by the employee-selected physicians or surgeon;
- (2) Requiring the physician or surgeon to notify DLIR and the employer if a subspecialty consultation is referred to a board-certified or licensed specialist; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Economic Revitalization & Business that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 463, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 463, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committees on Labor & Public  
Employment and Economic  
Revitalization & Business,



ANGUS L.K. MCKELVEY, Chair




KARL RHOADS, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

HSCR 100

Record of Votes of the Committee on Labor & Public Employment

Bill/Resolution No.: <b>HB 463</b>	Committee Referral: <b>LAB/ERB, CPC, FIN</b>	Date: <b>2-1-11</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LAB Members	Ayes	Ayes (WR)	Nays	Excused
1. RHOADS, Karl (C)	/			
2. YAMASHITA, Kyle T. (VC)	/			
3. AQUINO, Henry J.C.	/			
4. CULLEN, Ty	/			
5. ICHIYAMA, Linda	/			
6. LEE, Marilyn B.	/			
7. LUKE, Sylvia	/			
8. SAIKI, Scott K.	/			
9. SOUKI, Joseph M.				/
10. TAKUMI, Roy M.	/			
11. FONTAINE, George R.		/		
12. JOHANSON, Aaron Ling	/			
<b>TOTAL (12)</b>	<b>10</b>	<b>1</b>	<b>-</b>	<b>1</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
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