

Honolulu, Hawaii

March 2, 2012

RE: H.B. No. 1926  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1926, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ASSAULTS AGAINST MEDICAL SERVICES PROVIDERS,"

begs leave to report as follows:

The purpose of this measure is to amend the offense of assault in the second degree to include persons who intentionally or knowingly cause bodily injury to any medical services provider who is engaged in the performance of duty.

Specifically, this measure redefines "medical service provider" to:

- (1) Include physical therapists;
- (2) Include medical clinics, federally-qualified health centers, long-term care facilities, and specialized nursing facilities among the types of facilities where medical services providers provide services; and
- (3) Include other licensed medical professionals involved in the direct care of patients.



Kaiser Permanente, Healthcare Association of Hawaii, The Queen's Medical Center, and one individual testified in support of this measure. The Office of the Public Defender testified in opposition to this measure.

Your Committee is concerned about expanding the scope and applicability of the offense of assault in the second degree to a broad class of medical service providers; however, your Committee recognizes that this measure merits further discussion and consideration by the Legislature.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1926, H.D. 1, and recommends that it pass Third Reading.

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

  
GILBERT KEITH-AGARAN, Chair



