

STAND. COM. REP. NO. 2906

Honolulu, Hawaii

MAR 22 2012

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

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2012  
State of Hawaii

Sir:

Your Committee on Health, 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 and intent of this measure is to amend the  
offense of assault in the second degree to additionally protect  
physical therapists and other medical services providers providing  
services in a federally qualified health center, long-term care  
facility, or specialized nursing facility; and other licensed  
medical professionals involved in the direct care of patients.

Your Committee received testimony in support of this measure  
from Kaiser Permanente Hawaii; Healthcare Association of Hawaii;  
American Organization of Nurse Executives, Hawaii Chapter; The  
Queen's Medical Center; Hawaii Chapter, American Physical Therapy  
Association; and two individuals.

Your Committee finds that a recent study of nurses across the  
nation sponsored by the National Institute of Health found that  
one in three nurses over forty-five years of age plans to quit  
when the recession ends because of attacks in the workplace.  
Testimony submitted by Kaiser Permanente states that the federal  
Bureau of Labor Statistics found that health care workers  
experience violent assaults four times more than the national  
average. Your Committee consequently finds that this measure




establishes a deterrent to violence against medical services providers, which will assist the State in maintaining safety in health care facilities and in retaining valuable medical services providers.

Your Committee has amended this measure by:

- (1) Expanding protection under the offense to other medical services staff that provide services in certain facilities and including dentist's offices, home care agencies, home health agencies, hospices, and physician's offices among those facilities;
- (2) Adding unlicensed medical professionals involved in the direct care of patients to the list of medical service providers to be protected;
- (3) Changing the effective date to upon approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of 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. 1926, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1926, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

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



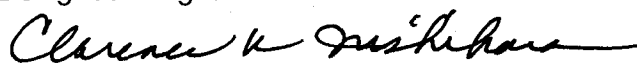
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JOSH GREEN, M.D., Chair



The Senate  
Twenty-Sixth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1926, HD1	HTH, UDL	3-16-12		
<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
GREEN, M.D., Josh (C)	/			
NISHIHARA, Clarence K. (VC)	/			
BAKER, Rosalyn H.	/			
CHUN OAKLAND, Suzanne	/			
SHIMABUKURO, Maile	/			
WAKAI, Glenn				/
SLOM, Sam				/
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

\*Only one measure per Record of Votes