

Honolulu, Hawaii

Feb 17, 2012

RE: H.B. No. 2448  
H.D. 2

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. 2448, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MEDICAID,"

begs leave to report as follows:

The purpose of this measure is to assist the Department of Human Services in recovering moneys owed by third parties responsible for injuries to medicaid recipients. Specifically, this measure establishes formulas for calculating the amount to be contributed by the Department of Human Services towards a medicaid recipient's attorney fees and costs.

The Department of Human Services testified in support of this measure. The Hawaii Association for Justice testified in opposition to this measure. The Department of the Attorney General provided comments.

Your Committee amended this measure by:

- (1) Deleting the definition of the term "value of damages" because it was not used in the amended section;
- (2) Clarifying the term "reasonable amount" for medicaid liens;
- (3) Changing the effective date to January 7, 2059, in order to facilitate further discussion on this measure; and



- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 2448, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2448, H.D. 2.

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



GILBERT KEITH-AGARAN, Chair



