

Honolulu, Hawaii

FEB 15 2013

RE: S.B. No. 875

S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam:

Your Committees on Health and Judiciary and Labor, to which was referred S.B. No. 875 entitled:

"A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require independent medical examinations and permanent impairment rating examinations for workers' compensation claims to be performed by physicians mutually agreed upon by employers and employees or appointed by the Director of Labor and Industrial Relations until June 30, 2018;
- (2) Allow for the use of an out-of-state physician under certain conditions and until June 30, 2018; and
- (3) Appropriate funds to the Department of Labor and Industrial Relations to establish three full-time equivalent (3.0 FTE) permanent workers' compensation hearings officer positions and two full-time equivalent (2.0 FTE) permanent office assistant positions in the disability compensation division.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations. Your Committees received testimony in opposition to this measure from Dole Food Co., Hawaii; South Pacific Steel; The Queen's Health



Systems; Ralph S. Inouye Co., Ltd.; John Mullen & Co., Inc.; and three individuals.

Your Committees find that this measure will bring a greater assurance of impartiality in the independent medical examination and permanent impairment rating processes and has the potential to reduce the number of workers' compensation medical disputes.

Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 875, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 875, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Health and
Judiciary and Labor,



CLAYTON HEE, Chair

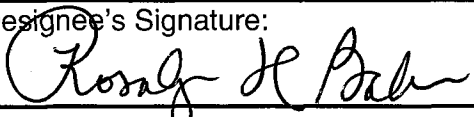


JOSH GREEN, Chair



The Senate
Twenty-Seventh Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 875	Committee Referral: HTH/JDL, WAM	Date: 02/11/2013		
<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, Josh (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
CHUN OAKLAND, Suzanne	✓			
NISHIHARA, Clarence K.	✓			
SLOM, Sam			✓	
TOTAL	4	—	1	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

