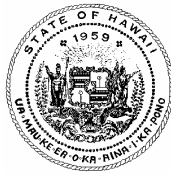


NEIL ABERCROMBIE
GOVERNOR



BARBARA A. KRIEG
DIRECTOR

LEILA A. KAGAWA
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

January 28, 2013

TESTIMONY TO THE
HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT

For Hearing on Tuesday, January 29, 2013
9:00 a.m., Conference Room 309

BY

BARBARA A. KRIEG
DIRECTOR

House Bill No. 436
Relating to Workers' Compensation

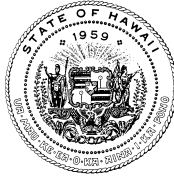
TO CHAIRPERSON MARK NAKASHIMA AND MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to provide testimony on H.B. 436.

The purpose of H.B. 436 is to require that a workers' compensation impartial exam be conducted by a doctor whose specialty is appropriate for the injury to be examined.

The Department of Human Resources Development (DHRD) takes no position on this bill provided the proposed amendment is limited to Section 386-80, Hawaii Revised Statutes.

Thank you for the opportunity to testify on this measure.



**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.hawaii.gov/labor
Phone: (808) 586-8842 / Fax: (808) 586-9099
Email: dlir.director@hawaii.gov

January 29, 2013

To: The Honorable Mark M. Nakashima, Chair,
The Honorable Mark J. Hashem, Vice Chair, and
Members of the House Committee on Labor & Public Employment

Date: Tuesday, January 29, 2013
Time: 9:00 a.m.
Place: Conference Room 309, State Capitol

From: Dwight Y. Takamine, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 436 Relating to Workers' Compensation

I. OVERVIEW OF PROPOSED LEGISLATION

H.B. 436 proposes to amend Section 386-80, Hawaii Revised Statutes (HRS), which relates to qualified impartial physicians appointed by the director, by proposing that the specialty of the physician is appropriate to the injury being examined.

The Department supports the measure.

II. CURRENT LAW

Currently, Section 386-80, HRS, does not specify that a physician appointed by the director to be a physician whose specialty is appropriate for the injury being examined.

III. COMMENTS ON THE HOUSE BILL

Qualifying the specialty of the physician will ensure that the claimant will be examined by a physician knowledgeable in the injury of the claimant.

HOUSE OF REPRESENTATIVES
TWENTY-SEVENTH LEGISLATURE, 2013
STATE OF HAWAII

COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Rep. Mark M. Nakashima, Chair
Rep. Mark J. Hashem, Vice Chair

Date: Tuesday, January 29, 2013
Time: 9:00 a.m.

Place: Conference Room 309, State Capitol

TESTIMONY OF ILWU LOCAL 142 RE: HB 436
RELATING TO WORKERS' COMPENSATION

Chair Nakashima, Vice Chair Hashem, Members of the Committee on Labor & Public Employment:

Thank you for the opportunity to present testimony re: HB 436. We support this bill. At times, physicians present opinions and testimony far beyond the actual fields of training and expertise. A physician specializing in Internal Medicine, for example, may give commentary on matters involving rheumatology, neurology and immunology that are far beyond the proper boundaries of his knowledge and expertise.

HB 436 offers a modest corrective to this overreaching by confining physicians retained under Section 386-80 HRS to those "whose specialty is appropriate for the injury being examined." We therefore support this bill.

WIMAH

WORK INJURY MEDICAL ASSOCIATION OF HAWAII
91-2135 FORT WEAVER ROAD SUITE #170
EWA BEACH, HAWAII 96706

MAULI OLA THE POWER OF HEALING

JANUARY 29, 2013

COMMITTEE ON LABOR AND PUBLIC EMPLOYEMENT

HOUSE BILL 436 RELATING TO WORKERS' COMPENSATION

REQUIRES THAT A WORKERS' COMPENSATION IMPARTIAL EXAM BE CONDUCTED BY A DOCTOR WHOSE SPECIALTY IS APPROPRIATE FOR THE INJURY TO BE EXAMINED.

WORK INJURY MEDICAL ASSOCIATION OF HAWAII STRONGLY SUPPORTS HOUSE BILL 436.

WORK INJURY MEDICAL ASSOCIATION OF HAWAII BELIEVES THIS WILL BILL WILL SPEED UP THE PROCESS OF WORKERS' COMPENSATION AND ALSO INSURE THE EXAMINATION IS DONE BY A PHYSICIAN WHO IS QUALIFIED IN THE SPECIALTY OF INJURY.

AT THE 2012 HAWAII STATE DEMOCRATIC CONVENTION, THE DELEGATES UNANIMOUSLY SUPPORTED THIS PROCESS.

THE PASSAGE OF THIS BILL WILL BENEFIT BOTH THE INJURED WORKER AND THEIR EMPLOYER.

YOUR PASSAGE OF THIS BILL WILL BE GREATLY APPRECIATED.

GEORGE M. WAIALEALE
EXECUTIVE DIRECTOR
WORK INJURY MEDICAL ASSOCIATION OF HAWAII



Randy Perreira
President

HAWAII STATE AFL-CIO

320 Ward Avenue, Suite 209 • Honolulu, Hawaii 96814

Telephone: (808) 597-1441
Fax: (808) 593-2149

The Twenty-Seventh Legislature, State of Hawaii
House of Representatives
Committee on Labor & Public Employment

Testimony by
Hawaii State AFL-CIO
January 29, 2013

H.B. 436 – RELATING TO WORKERS'
COMPENSATION

The Hawaii State AFL-CIO supports H.B. 436 which requires that a workers' compensation impartial exam be conducted by a doctor whose specialty is appropriate for the injury to be examined.

We feel it is important that a doctor completely understand the nature of an injury for workers' compensation patients. For example, a patient with a broken bone should be examined by an orthopedic doctor. This seems only logical and should help provide more accurate examinations and additional trust by the patient.

Thank you for the opportunity to testify.

Respectfully submitted,

Randy Perreira
President

Hawaii Injured Worker Association
715 South King Street
Suite 410
Honolulu, HI 96813

TESTIMONY RE: HB 436 RELATING TO WORKER'S COMPENSATION

To: The House Committee on Labor and Public Employment
Rep. Mark M. Nakashima, Chair
Rep. Mark J. Hashem, Vice Chair

Date: Tuesday
January 29, 2013

Time: 9:00 am

Place: Conference Room 309
State Capitol
415 S. Beretania St.

From: Derrick Ishihara
Vice President
Legislative Chair

Position: Support

Chair Nakashima, Vice Chair Hashem, and Members of the Committee,

Thank-you for the opportunity to present testimony regarding HB 436. HIWA supports this measure because it makes sense.

Sincerely,

Derrick Ishihara

From: mailinglist@capitol.hawaii.gov
Sent: Monday, January 28, 2013 8:20 PM
To: LABtestimony
Cc: tlccostas@msn.com
Subject: Submitted testimony for HB436 on Jan 29, 2013 09:00AM

HB436

Submitted on: 1/28/2013

Testimony for LAB on Jan 29, 2013 09:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
tyerry costa	Individual	Support	No

Comments: Again i support this bill and HB437. With all due respect to this committee, and as an injured worker for the past 5 years, that in my case file contains information regarding Fraud and the the submission of a misleading EXAMINATION. Nobody regulates these IME's that are done to DENY BENEFITS AND TREATMENT FOR INJURED WORKERS. Can this Committee provide testimony from an injured worker who benefited from an IME requested by the Insurance Carrier? The answer is no. This has been going on for decades and has only benefited the Insurance Industry who continue to be allowed more than one examination. The Disability Compensation Division allows this to happen and does not address any fraudulent and or misleading information regarding IME's because they are considered a THIRD PARTY. Therefore these IME's can contain false and misleading statements and no AGENCY REGULATES THERE OPINIONS. I ask this committee is this fair. Please feel free to contact me if this committee needs documented information concerning my testimony. aloha and God Bless.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

Testimony of Glenn Ida
Representing,
The Plumbers and Fitters Union, Local 675
1109 Bethel St., Lower Level
Honolulu, Hi. 96813

In Support of HB436

Before the House:
Committee on Labor and Public Employment
Tuesday, Jan. 29, 2013
9:00 AM, Conference Room 309

Aloha Chair Nakashima, Vice-Chair Hashem, and Members of the Committee,

My name is Glenn Ida representing the Plumbers and Fitters local 675.

Local 675 supports HB436, Requires that a worker's compensation impartial exam be done by a doctor whose specialty is appropriate to the injury to be examined.

Injured workers should be examined by a Doctor whose is knowledgeable in the kind of injury and experienced in the treatment that goes along with it to assess a worker's fitness to return to work.

Local 675 supports HB436.

Thank you for this opportunity to testify.

Mahalo,

Glenn Ida