

STAND. COM. REP. NO.

957

Honolulu, Hawaii

MAR 21 2013

RE: H.B. No. 922
H.D. 2

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

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 922, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL BENEFITS UNDER THE
WORKERS' COMPENSATION LAW,"

begs leave to report as follows:

The purpose and intent of this measure is to increase the efficiency of the Department of Labor and Industrial Relations in resolving disputes relating to treatment plans and continued medical services in workers' compensation cases. Specifically, this measure amends section 386-21(c), Hawaii Revised Statutes, to allow, rather than require, the Director of Labor and Industrial Relations to make a decision on disputes regarding treatment plans and continued medical services without a hearing, upon the consent of both parties, until June 30, 2015.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; United Public Workers, AFSCME Local 646, AFL-CIO; International Longshore and Warehouse Union, Local 142; Hawaii State Chiropractic Association; Hawaiian Electric Co., Inc., and its subsidiaries; Work Injury Medical Association of Hawaii; and Property Casualty Insurers Association of America.

Your Committee finds that existing law requires the Director of Labor and Industrial Relations to render a decision within thirty days of the filing of a dispute regarding a proposed treatment plan or whether medical services should be continued and



requires that a hearing be held for all decisions issued. Due to budgetary cuts and staff reductions in the branches of the Department of Labor and Industrial Relations that service the hearings system, it currently takes three to four months to schedule a hearing involving a treatment plan or medical services, notice the parties, conduct the hearing, and render a decision. This measure will facilitate the workers' compensation process as injured workers, insurance carriers, and employers will receive decisions more promptly and allow other cases to be scheduled sooner.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 922, H.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Ways and Means.

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



CLAYTON HEE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 922 HD2	JDL, WAM	3/12/13		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les				✓
SLOM, Sam	✓			
TOTAL	4			1
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