

Honolulu, Hawaii
February 16, 2018

RE: H.B. No. 1906
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Labor & Public Employment and Health & Human Services, to which was referred H.B. No. 1906 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE WORKERS,"

beg leave to report as follows:

The purpose of this measure is to deter the assault and abuse of healthcare professionals providing necessary care by increasing the penalty of assault of a health care worker from a misdemeanor to a class C felony.

Healthcare Association of Hawaii; American Organization of Nurse Executives; Kaiser Permanente Hawaii; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Legacy of Life Hawaii; The Queen's Health Systems; Hawai'i Pacific Health; Hawaii Primary Care Association; Hawaii Medical Association; and several concerned individuals supported this measure. The Department of Health supported the intent of this measure. The Department of the Attorney General and Hawaii Medical Service Association provided comments.

Your Committees note the concerns regarding whether this measure is necessary to provide health care workers appropriate protections and should your Committee on Judiciary deliberate on this measure, your Committees respectfully request that it consider whether certain health care workers are already afforded




higher protections in the existing statute for assault in the second degree.

Your Committees have amended this measure by:

- (1) Clarifying that a health care worker employed or contracted to work by a mutual benefit society to provide health services such as case management services to an individual in a hospital, healthcare provider's office, home, or other setting, while engaged in the performance of those services is included in the protections provided in this measure;
- (2) Changing the effective date to January 1, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Labor & Public Employment and Health & Human Services that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1906, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 1906, H.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on
behalf of the members of the
Committees on Labor & Public
Employment and Health & Human
Services,


JOHN M. MIZUNO, Chair


AARON LING JOHANSON, Chair



