

Honolulu, Hawaii  
**February 6**, 2018

RE: H.B. No. 2202  
H.D. 1

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

Sir:

Your Committee on Labor & Public Employment, to which was referred H.B. No. 2202 entitled:

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

begs leave to report as follows:

The purpose of this measure is to require that physicians or surgeons, selected and paid for by employers to perform an independent medical examination on employees relating to a workers' compensation work injury, be duly qualified to treat the injury being examined, possess medical malpractice insurance, and owe the same duty of care to the injured employee as to a traditional patient.

The Work Injury Medical Association of Hawaii testified in support of this measure. Brewer Consulting Services and an individual opposed this measure. The Department of Labor and Industrial Relations and City and County of Honolulu Department of Human Resources provided comments on this measure.

Your Committee has amended this measure by defining "duly qualified" to mean a doctor whose specialty is appropriate for the injury to be examined.

As affirmed by the record of votes of the members of your Committee on Labor & Public Employment that is attached to this



report, your Committee is in accord with the intent and purpose of H.B. No. 2202, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2202, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Labor & Public  
Employment,



AARON LING JOHANSON, Chair



**Record of Votes of the Committee on Labor & Public Employment**

|   |  |                                    |
|---|--|------------------------------------|
| <b>Bill/Resolution No.:</b><br><b>HB 2202</b> | <b>Committee Referral:</b><br><b>LAB, CPC, FIN</b> | <b>Date:</b><br><b>01 FEB 2010</b> |
|---|--|------------------------------------|

The committee is reconsidering its previous decision on the measure.

**The recommendation is to:**     Pass, unamended (as is)     Pass, with amendments (HD)     Hold  
 Pass short form bill with HD to recommit for future public hearing (recommit)

| LAB Members                      | Ayes     | Ayes (WR) | Nays     | Excused  |
|----------------------------------|----------|-----------|----------|----------|
| 1. JOHANSON, Aaron Ling (C)      | ✓        |           |          |          |
| 2. HOLT, Daniel (VC)             | ✓        |           |          |          |
| 3. EVANS, Cindy                  | ✓        |           |          |          |
| 4. ICHIYAMA, Linda               | ✓        |           |          |          |
| 5. KEOHOKALOLE, Jarrett          | ✓        |           |          |          |
| 6. YAMASHITA, Kyle T.            | ✓        |           |          |          |
| 7. MATSUMOTO, Lauren Kealohilani | ✓        |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
|                                  |          |           |          |          |
| <b>TOTAL (7)</b>                 | <b>7</b> | <b>0</b>  | <b>0</b> | <b>0</b> |

**The recommendation is:**     Adopted     Not Adopted  
If joint referral, \_\_\_\_\_ did not support recommendation.  
   committee acronym(s)

**Vice Chair's or designee's signature:** *[Signature]*