

STAND. COM. REP. NO.

3087

Honolulu, Hawaii

MAR 23 2018

RE: H.B. No. 2202
H.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Labor, to which was referred H.B. No. 2202, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to require that a duly qualified physician or duly qualified surgeon selected and paid for by an employer to perform a medical examination on an employee relating to a work injury under workers' compensation law shall 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.

Your Committee received testimony in support of this measure from the Work Injury Medical Association of Hawaii, ILWU Local 142, Hawaii Medical Association, Hawaii Injured Workers Association, Pacific Medical Group, and three individuals. Your Committee received testimony in opposition to this measure from Hawaiian Electric Co., Inc. Your Committee received comments on this measure from the Department of Labor and Industrial Relations and City and County of Honolulu Department of Human Resources.

Your Committee finds that currently, an examination related to a work injury under workers' compensation may be done by a physician that does not have expertise in the area of a worker's injury. Your Committee believes that the examination should be



required to be performed by a physician or surgeon with special expertise for the injury being examined and that injured employees deserve the same duty of care as any other patient.

As affirmed by the record of votes of the members of your Committee on Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2202, H.D. 2, and recommends that it pass Second Reading and be referred to your Committee on Commerce, Consumer Protection, and Health.

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



JILL N. TOKUDA, Chair



