

Honolulu, Hawaii

FEB 16 2017

RE: S.B. No. 1119
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2017
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 1119 entitled:

"A BILL FOR AN ACT RELATING TO ASSAULT,"

begs leave to report as follows:

The purpose and intent of this measure is to establish that intentionally or knowingly causing bodily injury to a healthcare or human services professional constitutes assault in the second degree.

Your Committee received testimony in support of this measure from the Honolulu Police Department, Hawaii Government Employees Association, Healthcare Association of Hawaii, Hawai'i Pacific Health, The Queen's Health Systems, and two individuals.

Your Committee finds that state law already extends protections to professions such as teachers, educational workers, emergency medical technicians, employees who work in state mental health facilities, and firefighters by making certain offenses against these professions assault in the second degree. Your Committee further finds that healthcare and human services professionals face similar challenges of job related violent incidents while on duty. As mentioned in testimony to your Committee, the Bureau of Labor Statistics found that healthcare providers have sixteen times greater risk for violence than other workers. This measure proposes protections for healthcare and human services professionals that are commensurate with



protections provided to workers who encounter similar risks on the job.

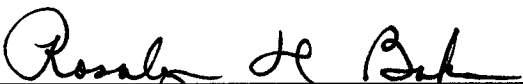
Your Committee notes that the intent of this measure is not to criminalize patients or visitors who may suffer from a mental illness. Accordingly, your Committee suggests ongoing discussion to address that concern.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1119, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1119, S.D. 1, and be referred to your Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1119	CPH, JDL	2/13/17		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
NISHIHARA, Clarence K. (VC)	✓			
CHANG, Stanley	✓			
ESPERO, Will	✓			
IHARA, Jr., Les	✓			
KIDANI, Michelle N.	✓			
RUDERMAN, Russell E.				/
TOTAL	6			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Clarence K. Nishihara</i>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes