

# SB889, SD2

RELATING TO PROFESSIONALLY  
LICENSED OR CERTIFIED  
GOVERNMENT EMPLOYEES

LAB, JUD, FIN

# SB889 SD2



Submit Testimony

**Measure Title:** RELATING TO PROFESSIONALLY LICENSED OR CERTIFIED GOVERNMENT EMPLOYEES.

**Report Title:** Professionally Licensed or Certified Government Employees; Tort Liability; Exclusive Liability

**Description:** Clarifies that the State shall be exclusively liable for claims for injury or loss of property, or personal injury or death, resulting from the negligent or wrongful act or omission of any professionally licensed or certified employee of the State while acting within the scope of the employee's office or employment. Precludes civil actions or proceedings for money damages against the employee, except for claims based on liability other than an employee's scope of employment with the State or other employer. Clarifies liability when the State agrees to assume full or partial responsibility in a civil action against a professional licensed or certified employee. Effective 01/07/2059. (SD2)

**Companion:** [HB1023](#)

**Package:** Governor

**Current Referral:** LAB, JUD, FIN

**Introducer(s):** KOUCHI (Introduced by request of another party)

<a href="#">Sort by Date</a>		<b>Status Text</b>
1/25/2017	S	Introduced.
1/25/2017	S	Passed First Reading.
1/25/2017	S	Referred to JDL, WAM.
1/27/2017	S	Re-Referred to CPH, JDL/WAM.
2/2/2017	S	The committee(s) on CPH has scheduled a public hearing on 02-07-17 9:00AM in conference room 229.
2/7/2017	S	The committee(s) on CPH recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in CPH were as follows: 5 Aye(s): Senator(s) Baker, Nishihara, S. Chang, Espero, Ruderman; Aye(s) with reservations: none ; 0 No(es): none; and 2 Excused: Senator(s) Ihara, Kidani.
2/15/2017	S	Reported from CPH (Stand. Com. Rep. No. 256) with recommendation of passage on Second Reading, as amended (SD 1) and referral to JDL/WAM.

2/15/2017	S	Report adopted; Passed Second Reading, as amended (SD 1) and referred to JDL/WAM.
2/24/2017	S	The committee(s) on JDL/WAM will hold a public decision making on 02-28-17 9:50AM in conference room 211.
2/28/2017	S	The committee(s) on JDL recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in JDL were as follows: 3 Aye(s): Senator(s) Keith-Agaran, K. Rhoads, L. Thielen; Aye(s) with reservations: none ; 0 No(es): none; and 2 Excused: Senator(s) Gabbard, Kim.
2/28/2017	S	The committee(s) on WAM recommend(s) that the measure be PASSED, WITH AMENDMENTS. The votes in WAM were as follows: 9 Aye(s): Senator(s) Tokuda, Dela Cruz, English, Galuteria, Harimoto, K. Kahele, Riviere, Shimabukuro, Taniguchi; Aye(s) with reservations: none ; 0 No(es): none; and 2 Excused: Senator(s) Inouye, Wakai.
3/3/2017	S	Reported from JDL/WAM (Stand. Com. Rep. No. 774) with recommendation of passage on Third Reading, as amended (SD 2).
3/3/2017	S	48 Hrs. Notice 03-07-17.
3/7/2017	S	Report adopted; Passed Third Reading, as amended (SD 2). Ayes, 25; Aye(s) with reservations: none . Noes, 0 (none). Excused, 0 (none). Transmitted to House.
3/7/2017	H	Received from Senate (Sen. Com. No. 284) in amended form (SD 2).
3/9/2017	H	Pass First Reading
3/9/2017	H	Referred to LAB, JUD, FIN, referral sheet 27
3/10/2017	H	Bill scheduled to be heard by LAB on Tuesday, 03-14-17 9:00AM in House conference room 309.

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# A BILL FOR AN ACT

RELATING TO PROFESSIONALLY LICENSED OR CERTIFIED GOVERNMENT  
EMPLOYEES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that in the recent  
2 decision Slingluff v. State, 317 P.3d 683 (Haw. Ct. App. 2013),  
3 the Intermediate Court of Appeals held that "physicians employed  
4 by the State, including prison doctors, exercising purely  
5 medical discretion in the diagnosis and treatment of potentially  
6 injured or sick people, are not protected from medical  
7 malpractice claims by the doctrine of qualified immunity under  
8 Hawai'i law."

9           The purpose of this Act is to clarify the personal  
10 liability requirements for professionally licensed or certified  
11 employees of the State by:

12           (1) Clarifying that the State shall be exclusively liable  
13 for civil tort claims resulting from the negligent or  
14 wrongful act or omission of a professionally licensed  
15 or certified employee of the State acting within the  
16 scope of the employee's office or employment;



- 1 (2) Precluding civil actions or proceedings for money
- 2 damages against the employee, except for claims based
- 3 on liability other than an employee's scope of
- 4 employment with the State or other employer; and
- 5 (3) Clarifying liability when the State agrees to assume
- 6 full or partial responsibility in a civil action
- 7 against a professionally licensed or certified
- 8 employee.

9 SECTION 2. Section 662-14, Hawaii Revised Statutes, is  
 10 amended to read as follows:

11 "**§662-14 Exclusiveness of remedy.** (a) The authority of  
 12 the State or any state agency to sue and be sued in its own name  
 13 shall not be construed to authorize any other actions against  
 14 the State or such agency on claims [~~for torts of its employees,~~]  
 15 cognizable under this chapter, and the rights and remedies  
 16 provided by this chapter and section 661-11 shall be exclusive.

17 (b) The remedy against the State provided by this chapter  
 18 and section 661-11 for injury or loss of property, or personal  
 19 injury or death, arising or resulting from the negligent or  
 20 wrongful act or omission of any professionally licensed or  
 21 certified employee of the State while acting within the scope of



1 the employee's office or employment shall be exclusive whenever  
2 the State agrees to be fully liable for the injuries, losses,  
3 and damages caused by the professionally licensed or certified  
4 employee. Any civil action or proceeding for money damages  
5 arising out of or relating to the same subject matter against  
6 the employee or the employee's estate shall thereafter be  
7 precluded without regard to when the act or omission occurred;  
8 provided that claims based on liability other than an employee's  
9 scope of employment with the State or employment with an  
10 employer other than the State shall not be precluded. When an  
11 employee is named in an individual capacity, the State may  
12 notify all parties in writing that the State is invoking  
13 exclusive liability by agreeing to be fully liable for the  
14 injuries, losses, and damages caused by the professionally  
15 licensed or certified employee, and the action or proceeding  
16 shall thereafter proceed against the State alone. When the  
17 State agrees to partial responsibility for the injuries, losses,  
18 and damages of an employee, the employee shall remain personally  
19 liable for those injuries, losses, and damages for which the  
20 State has not accepted responsibility."



1 SECTION 3. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 4. Statutory material to be repealed is bracketed  
5 and stricken. New statutory material is underscored.

6 SECTION 5. This Act shall take effect on January 7, 2059.

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**Report Title:**

Professionally Licensed or Certified Government Employees; Tort Liability; Exclusive Liability

**Description:**

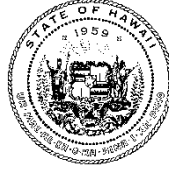
Clarifies that the State shall be exclusively liable for claims for injury or loss of property, or personal injury or death, resulting from the negligent or wrongful act or omission of any professionally licensed or certified employee of the State while acting within the scope of the employee's office or employment. Precludes civil actions or proceedings for money damages against the employee, except for claims based on liability other than an employee's scope of employment with the State or other employer. Clarifies liability when the State agrees to assume full or partial responsibility in a civil action against a professional licensed or certified employee. Effective 01/07/2059. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*





DAVID Y. IGE  
GOVERNOR



RODERICK K. BECKER  
Comptroller

AUDREY HIDANO  
Deputy Comptroller

**STATE OF HAWAII**  
**DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES**

P.O. BOX 119, HONOLULU, HAWAII 96810-0119

TESTIMONY OF  
RODERICK K. BECKER, COMPTROLLER  
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES  
TO THE  
HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT  
ON  
TUESDAY, MARCH 14, 2017  
9:00 A.M.  
CONFERENCE ROOM 309

S.B. 889, S.D. 2

RELATING TO PROFESSIONALLY LICENSED OR CERTIFIED GOVERNMENT  
EMPLOYEES.

Chair Johanson, Vice Chair Holt, and members of the Committee, thank you for the opportunity to submit testimony on S.B. 889, S.D. 2. The Department of Accounting and General Services (DAGS) supports the measure.

DAGS has multiple divisions and attached agencies that rely on the work of employees who are licensed professionals. This measure will help DAGS hire and/or retain professional employees by ensuring those professional employees cannot be held personally liable for actions they carry out in the course and scope of their State work. Without this provision, current and future State employees who require professional licensing to qualify for employment would find federal and private sector work that affords the proposed protection much more attractive. If the protections in this measure are not afforded to the licensed professional employees, individual employees may have to purchase their own professional liability insurance policies. This bill will help DAGS to attract, hire, and retain qualified licensed professionals.

Thank you for the opportunity to submit testimony on this measure.

DAVID Y. IGE  
GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF PUBLIC SAFETY**  
919 Ala Moana Boulevard, 4th Floor  
Honolulu, Hawaii 96814

**NOLAN P. ESPINDA**  
DIRECTOR

**Cathy Ross**  
Deputy Director  
Administration

**Jodie F. Maesaka-Hirata**  
Deputy Director  
Corrections

**Renee R. Sonobe Hong**  
Deputy Director  
Law Enforcement

No. \_\_\_\_\_

TESTIMONY ON SENATE BILL 889, SENATE DRAFT 2  
RELATING TO PROFESSIONALLY LICENSED  
OR CERTIFIED GOVERNMENT EMPLOYEES

by

Nolan P. Espinda, Director  
Department of Public Safety

Committee on Labor & Public Employment  
Representative Aaron Ling Johanson, Chair  
Representative Daniel Holt, Vice Chair

Tuesday, March 14, 2017; 9:00 a.m.  
State Capitol, Conference Room 309

Chair Johanson, Vice Chair Holt, and Members of the Committee:

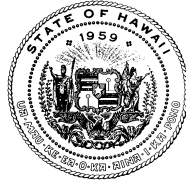
The Department of Public Safety (PSD) **supports** Senate Bill (SB) 889, Senate Draft (SD) 2, which proposes to amend section 662-14 of the Hawaii Revised Statutes to clarify that the exclusive remedy for injury or loss of property, or personal injury or death, arising from the act or omission of a professionally licensed or certified employee of the State acting within the scope of the employee's office or employment shall be against the State alone. PSD offers the following comments.

In Singluff v. State of Hawaii, the Intermediate Court of Appeals held that PSD physicians are not entitled to qualified immunity for exercising their professional medical judgment. The Court reasoned that these physicians were subject to separate professional standards for which they were specially licensed, and were exercising their professional medical judgment separate and distinct from their governmental judgment. The Court's ruling may be argued to apply to not just physicians, as personal liability may be imposed on any state employee who is a professional, such as advanced practice registered nurses.

Testimony on SB 889, SD2  
Senate Committee on Labor & Public Employment  
March 14, 2017  
Page 2

PSD has always found it difficult to recruit and retain qualified physicians, psychiatrists, and advanced practice registered nurses because government salaries are generally lower than in the private sector. Knowing that their personal assets may be at risk has further discouraged qualified candidates from applying for State employment. PSD has had to procure a malpractice insurance policy to protect PSD physicians and other medical professionals from personal financial harm and professional risk.

Thank you for the opportunity to present this testimony.



STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of SB889 SD2  
RELATING TO PROFESSIONALLY LICENSED OR CERTIFIED GOVERNMENT  
EMPLOYEES.**

REPRESENTATIVE AARON JOHANSON, CHAIR

HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

Hearing Date: March 14, 2017

Room Number: 309

1 **Fiscal Implications:** Avoided costs to the Department of Health on additional professional  
2 liability insurance.

3 **Department Testimony:** The Department of Health (DOH) supports SB889 SD2, Relating to  
4 Professionally Licensed or Certified Government Employees, which is submitted as part of  
5 Governor Ige's administrative package through the Department of the Attorney General.

6 DOH does feel that protections proposed by SB 889 will provide added clarification and  
7 assurance to our licensed or certified professionals employed by the department including but not  
8 limited to physicians, nurse practitioners and registered nurses, psychologist, clinical social  
9 workers, dentist and dental hygienists. In the capacity of a "provider of last resort," patients and  
10 clients whom the department serves are often medically complex or fragile, to the point where  
11 the private health care system is unable or unwilling to manage the liability.

12 Protections proposed by SB 889 will benefit recruitment, retention and overall risk management  
13 activities, and minimize the need to purchase additional professional liability insurance for all  
14 professionally licensed employees within the Department of Health

15 **Offered Amendments:** N/A

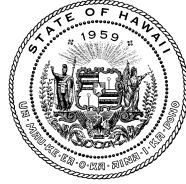
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17

18

DAVID Y. IGE  
GOVERNOR

SHAN TSUTSUI  
LT. GOVERNOR



STATE OF HAWAII  
**DEPARTMENT OF TAXATION**  
P.O. BOX 259  
HONOLULU, HAWAII 96809  
PHONE NO: (808) 587-1540  
FAX NO: (808) 587-1560

MARIA E. ZIELINSKI  
DIRECTOR OF TAXATION

DAMIEN A. ELEFANTE  
DEPUTY DIRECTOR

To: The Honorable Aaron Ling Johanson, Chair  
and Members of the House Committee on Labor & Public Employment

Date: Tuesday, March 14, 2017  
Time: 9:00 A.M.  
Place: Conference Room 309, State Capitol

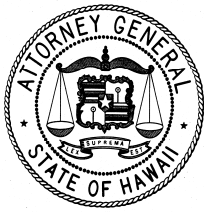
From: Maria E. Zielinski, Director  
Department of Taxation

Re: S.B. 889, S.D. 2 Relating to Professionally Licensed or Certified Government Employees

The Department of Taxation (Department) supports S.B. 889, S.D. 2, an Administration measure, and offers the following comments for your consideration.

The Department has numerous employees who are also professionals and who are directly affected by the holding in *Slingluff v. State of Hawaii*. This measure will help the Department recruit and retain professional employees by ensuring those professional employees cannot be held personally liable for actions they carry out in the course and scope of their government employment.

Thank you for the opportunity to provide comments.



**TESTIMONY OF  
THE DEPARTMENT OF THE ATTORNEY GENERAL  
TWENTY-NINTH LEGISLATURE, 2017**

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**ON THE FOLLOWING MEASURE:**

S.B. NO. 889, S.D. 2, RELATING TO PROFESSIONALLY LICENSED OR CERTIFIED GOVERNMENT EMPLOYEES.

**BEFORE THE:**

HOUSE COMMITTEE ON LABOR AND PUBLIC EMPLOYMENT

**DATE:** Tuesday, March 14, 2017

**TIME:** 9:00 a.m.

**LOCATION:** State Capitol, Room 309

**TESTIFIER(S):** Douglas S. Chin, Attorney General, or  
Caron M. Inagaki, Deputy Attorney General, or  
Kendall J. Moser, Deputy Attorney General

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Chair Johanson and Members of the Committee:

The Department of the Attorney General supports Senate Draft 2, with amendments.

The purpose of this bill is to mitigate the personal monetary risk of professionally licensed or certified state employees.

State employees are generally afforded a qualified privilege for torts as a result of actions taken while in the course and scope of their State employment, affording them protection from individual liability. In the case of Slingluff v. State of Hawai'i, et al., 131 Hawai'i 239, 317 P.3d 683 (App. 2013), however, the Intermediate Court of Appeals held that prison physicians are not entitled to a qualified privilege or immunity for the exercise of their professional medical judgment. The Court's reasoning that these employees exercise judgment for which they are specially licensed, therefore making their judgment separate and distinct from governmental judgment, could be argued to extend to any other professionally licensed or certified employee of the State, including nurses, attorneys, engineers, and other professionals.

In the wake of Slingluff, the State has taken steps to obtain professional liability insurance covering claims of individual liability for its physicians in the Department of Public Safety. This comes at a cost. This cost is expected to rise over time as claims

are made against such policies. The need for such insurance becomes unnecessary with the passage of this bill.

The potential for personal liability prevents good, well-qualified professionals from applying for jobs with the government. As of December 2016, there are at least 1,031 professionally licensed or certified employees employed by the State of Hawaii as physicians, engineers, architects, registered nurses, attorneys, dentists, physical therapists, clinical psychologists, as well as other professionals. Even though the State may now carry insurance for its physicians in the Department of Public Safety, providing liability insurance for every licensed or certified professional employed by the State would come at an extraordinary and unnecessary cost.

To address the ramifications of Slingsluff, and in an effort to attract and retain physicians and other professionally licensed or certified state employees, it is proposed that section 662-14, Hawaii Revised Statutes, be amended to clarify that the exclusive remedy for injury or loss of property, or personal injury or death, arising from the act or omission of a professionally licensed or certified employee of the State acting within the scope of the employee's office or employment shall be against the State alone.

While the Department of the Attorney General prefers this bill in its original form, acknowledging the Hawaii Association for Justice's concerns regarding employers other than the State, and in order to make clear that the State is not and cannot be liable for prejudgment interest or punitive damages by deleting the word "fully", the Department requests the following amendments to subsection (b) starting at page 2, line 17:

(b) The remedy against the State provided by this chapter and section 661-11 for injury or loss of property, or personal injury or death, arising or resulting from the negligent or wrongful act or omission of any professionally licensed or certified employee of the State while acting within the scope of the employee's office or employment shall be exclusive whenever the State agrees to be ~~fully~~ liable for the injuries, losses, and damages caused by the professionally licensed or certified employee. Any civil action or proceeding for money damages arising out of or relating to the same subject matter against the employee or the employee's estate shall thereafter be precluded without regard

to when the act or omission occurred; provided that claims based on liability ~~[other than an employee's scope of employment with the State or]~~ arising from employment with an employer other than the State shall not be precluded. When an employee is named in an individual capacity, the State may notify all parties in writing that the State is invoking exclusive liability by agreeing to be ~~[fully]~~ liable for the injuries, losses, and damages caused by the professionally licensed or certified employee, and the action or proceeding shall thereafter proceed against the State alone. ~~[When the State agrees to partial responsibility for the injuries, losses, and damages of an employee, the]~~ The employee shall remain personally liable for those injuries, losses, and damages for which the State has not accepted responsibility.

We respectfully ask the Committee to pass Senate Draft 2 with the requested amendments.



**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, March 10, 2017 5:50 PM  
**To:** LABtestimony  
**Cc:** KarinNomura1@gmail.com  
**Subject:** Submitted testimony for SB889 on Mar 14, 2017 09:00AM

**SB889**

Submitted on: 3/10/2017

Testimony for LAB on Mar 14, 2017 09:00AM in Conference Room 309

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Karin Nomura	Individual	Support	No

Comments: I hope that also includes confidentiality and respect for the position they hold. As it seems every time I email a representative or organization, a comment is made in my neighborhood. The most recent over a bill that I was inquiring into with a female mentioning that she was glad I approved of the items I listed as being happy that some of the issues I was fearing were listed. (Doesn't include those items claimed and re-mentioned by a party that's a partner to a State employee...)

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email [webmaster@capitol.hawaii.gov](mailto:webmaster@capitol.hawaii.gov)

# SB889, SD2

## Late Testimony

**LATE LATE LATE**

Added Lang.

**TESTIMONY OF ROBERT TOYOFUKU ON BEHALF OF THE HAWAII  
ASSOCIATION FOR JUSTICE (HAJ) REGARDING S.B. 889**

Date: Tuesday, March 14, 2017

Time: 9:00 a.m.

Room: 309

To: Chairman Aaron Ling Johanson and Members of the House Committee on Labor  
and Public Employment:

My name is Bob Toyofuku and I am presenting this testimony on behalf of the  
Hawaii Association for Justice (HAJ) REGARDING S.B. 889, Relating to Professionally  
Licensed or Certified Government Employees.

The Department of the Attorney General and HAJ are cooperatively working  
together to reach consensus on the specific language of this matter. An agreement in  
principle has been reached and language for technical non-substantive amendments to  
this measure will be submitted to the committee for its consideration.

Thank you very much for allowing me to testify regarding this measure. Please  
contact me if there are any questions or concerns.

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A BILL FOR AN ACT

RELATING TO PROFESSIONALLY LICENSED OR CERTIFIED GOVERNMENT EMPLOYEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that in the recent decision Slingsluff v. State, 317 P.3d 683 (Haw. Ct. App. 2013), the Intermediate Court of Appeals held that "physicians employed by the State, including prison doctors, exercising purely medical discretion in the diagnosis and treatment of potentially injured or sick people, are not protected from medical malpractice claims by the doctrine of qualified immunity under Hawai'i law."

The purpose of this Act is to clarify the personal liability requirements for professionally licensed or certified employees of the State by:

- (1) Clarifying that the State shall be exclusively liable for civil tort claims resulting from the negligent or wrongful act or omission of a professionally licensed or certified employee of the State acting within the scope of the employee's office or employment;
- (2) Precluding civil actions or proceedings for money damages against the employee when the State agrees to assume responsibility, except for claims based on liability arising from employment with an employer other than the State; and
- (3) Clarifying liability when the State agrees to assume full or partial responsibility in a civil action against a professionally licensed or certified employee.

SECTION 2. Section 662-14, Hawaii Revised Statutes, is amended to read as follows:

"**§662-14 Exclusiveness of remedy.** (a) The authority of the State or any state agency to sue and be sued in its own name shall not be construed to authorize any other actions against the State or such agency on claims [~~for torts of its employees,~~] cognizable under this chapter, and the rights and remedies provided by this chapter and section 661-11 shall be exclusive.

(b) The remedy against the State provided by this chapter and section 661-11 for injury or loss of property, or personal injury or death, arising or resulting from the negligent or wrongful act or omission of any professionally licensed or certified employee of the State while acting within the scope of the employee's office or

employment shall be exclusive whenever the State agrees to be liable for the injuries, losses, and damages caused by the professionally licensed or certified employee. Any civil action or proceeding for money damages arising out of or relating to the same subject matter against the employee or the employee's estate shall thereafter be precluded without regard to when the act or omission occurred; provided that claims based on liability arising from employment with an employer other than the State shall not be precluded. When an employee is named in an individual capacity, the State may notify all parties in writing that the State is invoking exclusive liability by agreeing to be liable for the injuries, losses, and damages caused by the professionally licensed or certified employee, and the action or proceeding shall thereafter proceed against the State alone. The employee shall remain personally liable for those injuries, losses, and damages for which the State has not accepted responsibility."

SECTION 3. This Act does not affect rights and duties that matured, penalties that were incurred, and proceedings that were begun before its effective date.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on January 7, 2059.



**HAWAII GOVERNMENT EMPLOYEES ASSOCIATION**

AFSCME Local 152, AFL-CIO

**RANDY PERREIRA**, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

**LATE**

**LATE**

**LATE**

The Twenty-Ninth Legislature, State of Hawaii  
House of Representatives  
Committee on Labor and Public Employment

Testimony by  
Hawaii Government Employees Association

March 14, 2017

S.B. 889, S.D. 2 – RELATING TO  
PROFESSIONALLY LICENSED OR  
CERTIFIED GOVERNMENT EMPLOYEES

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of S.B. 889, S.D. 2. This important legislation amends Chapter 662, Hawaii Revised Statutes, by providing professionally licensed or certified government employees the same privileges and legal immunities that other state employees currently receive.

More specifically, this bill will protect physicians, nurses, psychologists, engineers and others who are employed by the State of Hawaii when they exercise professional judgement in their capacity as public employees. Our organization represents many of these employees in various departments, statewide.

S.B. 889, S.D. 2, if enacted, will enable the State of Hawaii to attract and retain employees who are licensed to provide services that are essential to the public.

Thank you for the opportunity to testify in support of S.B. 889, S.D. 2.

Respectfully submitted,

  
for Randy Perreira  
Executive Director