

STAND. COM. REP. NO.

2847

Honolulu, Hawaii

FEB 14 2020

RE: S.B. No. 3044  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,  
to which was referred S.B. No. 3044 entitled:

"A BILL FOR AN ACT RELATING TO OFFENSES AGAINST HEALTH CARE  
SECURITY PROFESSIONALS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify the  
offense of assault in the second degree of a health care security  
professional as a class C felony.

Your Committee received testimony in support of this measure  
from Adventist Health Castle, Hawai'i Primary Care Association,  
Healthcare Association of Hawaii, The Queen's Health Systems,  
Hawaii Pacific Health, Staub Medical Center, Hilo Medical Center,  
The Queen's Medical Center - West Oahu, Pali Momi Medical Center,  
Wilcox Medical Center, Kapi'olani Medical Center for Women and  
Children, Queen's North Hawai'i Community Hospital, and four  
individuals. Your Committee received testimony in opposition to  
this measure from the Office of the Public Defender.

Your Committee finds that, unfortunately, violence against  
health care workers is not uncommon. According to the  
Occupational Safety and Health Administration, incidents of  
serious workplace violence are four times more common in health  
care than in private sectors. Health care security professionals  
provide the first line of defense in ensuring the safety of



everyone at their respective facilities. By not granting health care security professionals the same legal protections that are afforded to the rest of the health care team, the risks they face and the work they do is inappropriately undervalued. This measure helps to rightfully recognize those risks that health care security professionals face at work each day and helps to establish parity for the protections of those working in health care.

Your Committee notes the concerns raised by the Office of the Public Defender that this measure is overly broad and should be more narrowly tailored. While your Committee finds that this measure is limited to protecting health care security professionals while they are engaged in the performance of their duties at a health care facility and does not offer a special category of protection while generally out in public, your Committee requests that your Committee on Judiciary further examine the concerns raised by the Office of the Public Defender.

Your Committee has amended this measure by:

- (1) Inserting an effective date of January 2, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments 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. 3044, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3044, S.D. 1, and be referred to your Committee on Judiciary.

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



---

ROSALYN H. BAKER, Chair



