

STAND. COM. REP. NO.

438

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 695
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Labor, to which was referred S.B. No. 695
entitled:

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

begs leave to report as follows:

The purpose of this measure is to require an employer to
continue paying for medical services for an injured employee
despite disputes over whether treatment should be continued, until
the Director of Labor and Industrial Relations determines whether
medical services should be continued.

Testimony in support of this measure was submitted by two
organizations. Testimony in opposition of this measure was
submitted by two state agencies, one county agency, and seven
organizations. Two organizations supported the intent of this
measure. Written testimony presented to the Committee may be
reviewed on the Legislature's website.

Your Committee finds that this measure addresses the
disruption of medical care to injured employees which is a major
impediment to their prompt return to work. Your Committee further
finds that a quicker return to employment may ultimately lower
costs, benefitting both employers and employees in an equitable
way.

Your Committee acknowledges the concern that employees may
seek unnecessary treatment as a result of this measure, resulting
in higher costs to employers and insurers. However, your

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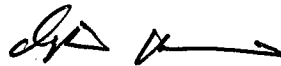


Committee believes that it is a priority for injured workers to receive the proper care and treatment they need to return to work. Furthermore, this measure addresses the expressed concern by providing that employers and insurers may recover benefits paid past the deadline for allowed treatment and that employees who obtain medical services unlawfully may be charged for those services.

Your Committee has amended this measure by making technical, nonsubstantive amendments.

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 S.B. No. 695, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 695, S.D. 1, and be placed on the calendar for Third Reading.

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

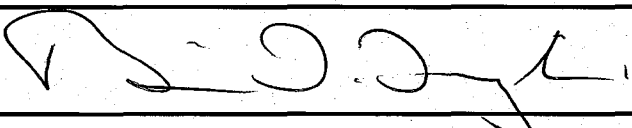


DWIGHT Y. TAKAMINE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 695	LBR	2/10/09		
<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
TAKAMINE, Dwight Y. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
BUNDA, Robert		✓		
HEE, Clayton	✓			
SLOM, Sam			✓	
TOTAL	3	1	1	0
Recommendation:				
<input checked="" type="checkbox"/> Adopted				
<input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes