

Honolulu, Hawaii

FEB 28 2014

RE: S.B. No. 2064

S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2014
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
S.B. No. 2064 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 entitle injured employees to up to twenty visits for psychological and psychiatric services under workers' compensation and require such visits to take place over a sixty-day period.

Your Committee received testimony in support of this measure from the United Public Workers, AFSCME Local 646, AFL-CIO; and Work Injury Medical Association of Hawaii. Your Committee received testimony in opposition to this measure from the Department of Human Resources Development; Department of Labor and Industrial Relations; Department of Human Resources, City and County of Honolulu; Hawaii Insurers Council; The Chamber of Commerce of Hawaii; and Hawaiian Electric Company Inc.

Your Committee finds that providing injured employees with psychological or psychiatric services can help prevent addiction, drug diversion, chronic pain, post-traumatic stress disorder, major depressive disorder, and other psychological and psychiatric issues. However, your Committee notes the concerns raised by the Department of Human Resources Development that allowing up to twenty visits for psychological and psychiatric services over a sixty-day period is costly and would require the Department to increase its reserves to account for such costs. Furthermore, the



Department of Labor and Industrial Relations testified that existing administrative rules allow physicians, including psychiatrists and psychologists, an initial fifteen treatments of the injury during the first sixty calendar days without prior authorization. If the physician believes that additional treatment is warranted, the physician is required to submit a treatment plan to the employer or carrier to request up to fifteen additional treatments within a one hundred twenty calendar day period.

Accordingly, your Committee has amended this measure by:

- (1) Changing the number of visits for psychological and psychiatric services under workers' compensation from twenty visits to seventeen visits over a sixty-day period;
- (2) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (3) 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 Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2064, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2064, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor

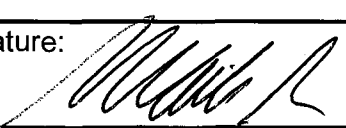


CLAYTON HEE, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2064	HTH, JDL	2/25/14		
<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
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile S.L. (VC)	✓			
GABBARD, Mike	✓			
GALUTERIA, Brickwood	✓			
IHARA, Jr., Les	✓			
SOLOMON, Malama				✓
SLOM, Sam				✓
TOTAL	5			2
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