

STAND. COM. REP. NO.

687

Honolulu, Hawaii

MAR 03 2017

RE: S.B. No. 857
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 Ways and Means, to which was referred S.B. No. 857, S.D. 1, 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 prohibit employers from denying workers' compensation claims without reasonable cause or during a pending investigation.

In addition, this measure specifies a process for resolving billing disputes between the employer and the medical service provider and assesses a penalty on parties who fail to negotiate in good faith.

Your Committee received written comments in support of this measure from ILWU Local 142 and the Hawaii Chapter of the American Physical Therapy Association.

Your Committee received written comments in opposition to this measure from the Chamber of Commerce Hawaii, General Contractors Association of Hawaii, and Hawaii Insurers Council.

Your Committee received written comments on this measure from the Department of Human Resources Development and the Department of Labor and Industrial Relations.



Your Committee finds that Hawaii's workers' compensation system has been plagued by delays and denials of claims, which exacerbate the recovery of injured workers. Your Committee further finds that employers should be limited in their ability to deny claims pending investigation and be held accountable for processing claims for medical services in a timely manner. Your Committee recommends that the measure's stakeholders work towards a common solution as this measure continues to move through the legislative process.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 857, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

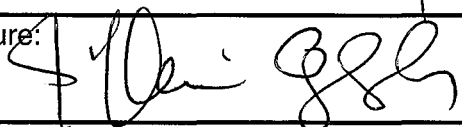


JILL N. TOKUDA, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 857, SD1	SDL, WAM	27 Feb 2017		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TOKUDA, Jill N. (C)	✓			
DELA CRUZ, Donovan M. (VC)				/
ENGLISH, J. Kalani	/			
GALUTERIA, Brickwood	/			
HARIMOTO, Breene	/			
INOUE, Lorraine R.				/
KAHELE, Kaiali'i	/			
RIVIERE, Gil	/			
SHIMABUKURO, Maile S.L.	/			
TANIGUCHI, Brian T.	/			
WAKAI, Glenn				/
TOTAL	8			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes