

Honolulu, Hawaii
March 2, 2018

RE: H.B. No. 1906
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1906, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE WORKERS,"

begs leave to report as follows:

The purpose of this measure is to increase the penalty for assault of a health care worker from a misdemeanor to a Class C felony.

The Board of Nursing; Hawaii Health Systems Corporation; East Hawaii Region of Hawaii Health Systems Corporation; Queen's Health Systems; Healthcare Association of Hawaii; One Kalakaua Senior Living; United Public Workers, AFSCME, Local 646, AFL-CIO; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO; Kaiser Permanente Hawai'i; Hawai'i Primary Care Association; Legacy of Life Hawaii; Hawaii Nurses Association, OPEIU Local 50, AFL-CIO; Hawai'i Pacific Health; Hawaii Medical Association; Country Talk Story; and numerous individuals testified in support of this measure. The Department of Health supported the intent of this measure. The Office of the Public Defender testified in opposition. The Department of the Attorney General and Hawaii Medical Service Association provided comments.



Your Committee has amended this measure by:

- (1) Deleting the purpose statement;
- (2) Deleting administrators, students, volunteers, and any other workers who support the functions of the health care facility from the definition of "a person who is engaged in the performance of a duty at a health care facility";
- (3) Narrowing the offense for assaulting a person employed or contracted to work by a mutual benefit society to only include persons who are employed or contracted to provide case management services to an individual in a hospital, health care provider's office, or home; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1906, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1906, H.D. 2.

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



SCOTT Y. NISHIMOTO, Chair



