

STAND. COM. REP. NO. 610

Honolulu, Hawaii

Feb 16, 2007

RE: H.B. No. 220
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 220, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TORTS,"

begs leave to report as follows:

The purpose of this bill is to improve Hawaii's healthcare system by limiting the amount of non-economic damages that may be awarded in medical tort actions, contingent upon insurers' compliance with professional liability insurance rate caps.

The State Administration, Department of Commerce and Consumer Affairs, John A. Burns School of Medicine of the University of Hawaii at Manoa, Hawaii Medical Association, Kaiser Permanente, Healthcare Association of Hawaii, Hawaii Association of Health Plans, Medical Insurance Exchange of California, and numerous concerned individuals testified in support of this bill. The Consumer Lawyers of Hawaii and a concerned individual opposed this measure. The Department of the Attorney General and a concerned individual submitted comments.

Your Committee has amended this measure by clarifying that this measure does not affect the rights of the State as a tortfeasor regarding joint and several liability under section 663-10.5, Hawaii Revised Statutes.

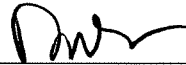
HB220 HD2 HSCR CPC HMS 2007-2339



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As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 220, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Judiciary in the form attached hereto as H.B. No. 220, H.D. 2.

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



ROBERT N. HERKES, Chair



