



## The Senate

STATE CAPITOL  
HONOLULU, HAWAII 96813

Wednesday, April 15, 2020

### MEMORANDUM

TO: Senate President Ronald D. Kouchi  
FROM: Senate Special Committee on COVID-19  
RE: Senate Special Committee on COVID-19 Report

Dear Senate President,

Please see the attached report prepared following the April 14, 2020, Senate Special Committee on COVID-19 meeting with the following:

- Department of the Attorney General
- Department of Labor and Industrial Relations
- Department of Health
- Department of Transportation – Airports Division

Sincerely,

Senator Donovan M. Dela Cruz  
Senator Jarrett Keohokalole  
Senator Michelle N. Kidani

Senator Donna Mercado Kim  
Senator Sharon Moriwaki  
Senator Kurt Fevella

Attachment

Cc: All Senators

### **Department of the Attorney General**

Ms. Clare Connors, Attorney General, provided the Committee the following update.

#### **Federal CARES Act**

- Ms. Connors indicated that her office has a designated team to manage the federal CARES Act.
  - They are looking at possible ramifications of the act itself.
  - The office is in communication with other states to see how they can best handle this situation.
- The office continues to administer other federal grants that they are responsible for, outside of the COVID-19 crisis and CARES Act funding.

#### **Quarantine Enforcement**

- The Committee inquired as to whether the state can legally hold someone in quarantine, and if that person could be required to pay for their accommodations.
  - Ms. Connors confirmed that the state can require travelers to be held in quarantine but would have to look into whether or not they can be required to pay.
- The Committee asked whether a traveler could be required to leave the state immediately if they did not have a designated place of quarantine for the full 14 days.
  - Ms. Connors indicated that she believed that the policy was in place to discourage visitors but felt it would be okay if they were to go back sooner.
    - The Committee expressed concerns that the state may not have the resources to ensure that travelers comply and would prefer that they instead are turned away.
- The Committee inquired whether the state could implement a surcharge on those who insist on visiting Hawaii.
  - Ms. Connors stated that she would have to look into it, but such actions would likely be prevented by the FAA and federal law.
- The Committee asked about the state capabilities to track visitors who enter the state as part of the 14-day quarantine.
  - Ms. Connors confirmed that she has a team looking at places like South Korea and Taiwan for ways to institute such a policy better.
    - She acknowledged that capacity and legality would be determining factors.
- The Committee acknowledged that the Hawaii Tourism Authority (HTA) is making calls to confirm that travelers are in their rooms but asked what the next steps were should they find that they are not complying.
  - Ms. Connors stated that in those cases, the HTA's next call is to the county authorities.
  - The Committee followed up with an inquiry about individuals not staying in hotels, i.e., returning residents and visitors staying with family.
    - Ms. Connors indicated that in these cases, their information is turned directly over to the county enforcement agencies for them to monitor.

### **Foreclosures and Evictions**

- The Committee inquired into what the state was doing regarding foreclosures and evictions and asked what, if any, further action will be taken by the Governor.
  - Ms. Connors stated that she expects that the Governor will take additional action but is unsure what those actions might be at this time.
- Ms. Connors indicated that while the courts are closed, lenders and landlords are still proceeding with foreclosure and eviction notices.
- Ms. Connors referenced two provisions not covered in the Governor's 1<sup>st</sup> Proclamations:
  - Section 127A - 30(a)(2) regarding mortgages, and
  - Section 127A - 30(b) regarding rents, specifying that they cannot be increased.
- Ms. Connors confirmed that the Office of Consumer Protection (OCP) is handling these areas of concern.
  - OCP has a resource website, and a dedicated phone line which is open daily from 8 am till noon.
    - Phone: (808)586-2634
    - Website: <http://cca.hawaii.gov/blog/office-of-consumer-protection/>
- The Committee asked specifically how many people would need to be affected before the Governor would act, and how often they revisit this impact.
  - Ms. Connors stated that her team visits this topic multiple times daily.
    - A group has been assigned specifically to work with the Governor, General Hara, and each department.
  - As a follow-up, the Committee asked if the Attorney General's office would be prepared to act on an additional Governor's Proclamation.
    - Ms. Connors confirmed that they would be ready to do so.
- The Committee inquired as to whether or not the Governor was looking at suspending Section 666 regarding rentals.
  - Ms. Connors confirmed that her office has looked at it, and is prepared from a legal standpoint, but that the policy decision would have to come directly from the Governor.

### **Department of Labor and Industrial Relations**

Mr. Scott Murakami, Director, provided the Committee the following update.

#### **Unemployment Insurance (UI) Benefits**

- The state has already paid out over \$20 million in benefits.
  - The division paid out over \$11 million last week alone.
  - The state will likely need to borrow money due to a shortfall of federal funds and programs to cover the difference in existing funds.
- DLIR has seen a decrease in the number of UI filings since the COVID-19 crisis began.
- The \$600 plus up benefit is now automated for the next round of payments starting April 17<sup>th</sup>.
- Procedures for a 13-week extension provision are still in development.

- DLIR hopes to have it completed by April 30<sup>th</sup>.
- DLIR is working to automate the Pandemic Unemployment Insurance Access and Benefits (PUA) portion of the CARES Act by early May.
  - This expanded the eligibility base to 1099 contractors and sole proprietors.
  - DLIR needs to work with the Department of Taxation on regulatory requirements for 1099 contractors in proving projected losses.

### **Unemployment Insurance Website**

- To decrease the traffic to the centralized Unemployment Insurance portal on the mainframe, DLIR launched three websites based on services needed on April 14<sup>th</sup>:
  - Initial Filings
  - Biweekly Claims
  - Filings status
- The website now includes a step by step guide and answers to frequent questions.
- DLIR created different phone numbers for filers based on the specific services needed which are available on its website.
- DLIR has also established email addresses by county.
- The UI web portal is now open 24/7.
- The Committee expressed its desire to see more attention paid to information and services geared towards helping the public navigate the UI procedures.

### **Staff Redeployment**

- DLIR received 18 redeployed employees from AG and DHRD offices yesterday, but those workers are temporary and only available for this week.
  - The Committee expressed its dismay that these workers would only be available long enough to be trained and were unsure how this would be useful to the department.
  - Mr. Murakami acknowledged that it was not ideal but appreciates any help they are able to receive.
- DLIR will receive an additional 20 employees from different departments next week and hopes to continue increasing staff from the list of category three employees.
- Federal funds will pay the wages for staff redeployed to the UI office.
- DLIR is considering establishing multiple shifts to help with overtime hours of current employees.
  - Mr. Murakami indicated that one issue to overcome is providing security for later shifts.

### **Expansion of Call/Claims Centers**

- The Hawaii State Library established a call/claims center with ten staff members in the main library.
  - The team will help with processing, inputting, and monitoring claims.
  - The Library system hopes to add more librarians as needed.
- DLIR will open a call/claims center at the Hawaii Convention Center on April 21<sup>st</sup>

- The call/claims centers will receive equipment and supplies from:
  - Libraries
  - Hawaii Tourism Association
  - Procurement Office
  - Hawaii Community Foundation

### **Department of Health**

Dr. Bruce Anderson, Director, provided the Committee the following update.

#### **Testing Update**

- 13 new cases today.
  - The total includes four Hawaii residents being quarantined out of state.
- The state has completed over 19,000 tests to date.
  - State laboratory conducts up to 100 tests per day for contact surveillance purposes.
- Drive-thru testing has overwhelmed the capacity of the private labs
  - As a result, samples are once again being sent to the mainland.
- The department is prioritizing tests for outbreak purposes with no delay in obtaining test results.
- The department is in discussions with JABSOM to assist in testing.
- There are clear guidelines for positive test results.
  - All positives must be reported immediately to the department so that contact tracing can be done.
- The Committee sought to clarify what specifically was limiting the state's ability to expand testing.
  - Dr. Anderson explained that the prohibitive factor is not a lack of tests, but in fact, an insufficient supply of personal protective equipment to allow workers to safely administer the tests.
- The Committee inquired into what policies, if any, exist around universal testing across all laboratories in the state.
  - Dr. Anderson stated that the department would look at developing more explicit policies on how outside testing is conducted and what types of medical proof will be necessary to return to work or enter nursing homes etc.
- Dr. Anderson stated that the department would need to increase its capacity for testing and contract tracing if we are going to reopen the state.

### **Department of Transportation – Airports Division**

Mr. Ross Higashi, Deputy Director, provided the Committee the following update.

#### **Essential Staff**

- Mr. Higashi stated that the Airports Division's employees were all considered essential workers.

- In the early stages of the pandemic some employees were sent home on paid leave due to safety concerns.
- Currently, all of the division's approximately 1100 employees are working.
  - The division has 73 employees working remotely.
- The Airports Division may receive up to \$131 million from the federal CARES ACT.
  - This requires maintaining at least 90% of the Airport workforce.
  - The division is taking advantage of the decreased passenger load to focus on sanitizing the airports and doing maintenance that is usually difficult to do in crowded airports.
    - Mr. Higashi will update the Committee specifically on what work is being done.

### **Quarantine Procedures**

- Mr. Higashi informed the Committee that Hawaii Airports are averaging 700 passengers per day.
  - Most of those passengers being Hawaii residents who are traveling interisland.
- Testing all crew and passengers.
  - All are temperature tested.
- Passengers are required to complete forms, including their contact and accommodation information.
- Passengers have to sign stating they understand the quarantine requirements and that they will adhere to those requirements.
  - The Committee questioned whether passengers were required to bring or were issued masks and other PPE.
    - Higashi will confirm whether distributing PPE is possible.
      - The first priority for PPE is the front line and health care workers.
- To date, nine passengers have been turned back and placed on return flights due to a lack of accommodations.
- Airport staff checks ID's and confirms the information given on the forms.
  - HTA is collecting passenger information.
  - HTA is calling each hotel to confirm that passengers have reservations.
  - HTA is checking in with each passenger three times during the quarantine period.
- The Committee expressed some concerns about the procedures and asked that the division update its procedures to address those concerns.
  - Mr. Higashi will follow up with HTA to confirm that these checks include passengers staying at private residences as well as Hawaii residents traveling interisland.
  - Mr. Higashi also agreed to revisit the procedures to ensure that all passenger information about accommodations is confirmed before they are allowed to leave the airport.
  - Mr. Higashi committed to working with the HTA and HIEMA to have a daily passenger compliance report generated.
  - Mr. Higashi will also work to include tracking rental cars into the revised procedures.
  - The Committee will receive an update on the new quarantine procedures tomorrow.

Report of the Senate Special Committee on COVID-19  
Tuesday, April 14, 2020

-end of report-