



The Senate

STATE CAPITOL
HONOLULU, HAWAII 96813

Wednesday, April 29, 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 28, 2020, Senate Special Committee on COVID-19 meeting with the following:

- Department of Labor and Industrial Relations
- Department of Health – State Laboratories
- Department of Taxation
- Department of Health – Food Safety Branch
- Hawaii Emergency Management Agency

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 Labor and Industrial Relations (DLIR)

Mr. Scott Murakami, Director, provided the Committee the following update in response to the COVID-19 pandemic.

Claims Certification

- High traffic to the mainframe is shifting to weekly and biweekly claims certification.
 - DLIR is replicating its database for submission of claimants' certification online 24/7, in order to reduce traffic to the mainframe.
 - The new database will be launched this week.
- DLIR wants to clarify that if a person could not submit certification on time because of technical issues, they will still receive benefits for those weeks due to the delay.

Pandemic Unemployment Assistance (PUA)

- The PUA application form will become available by the end of this week.
 - The program will begin in stages.
 - Within 15 days, DLIR will begin processing the applications.
 - Within seven days, DLIR will create an appeals process.
- Those eligible for PUA may have been denied under the normal UI program, so DLIR is requesting they reapply through the new form.
- The Committee requests that the department to review how other states are fast-tracking the \$600 plus up distribution.
 - Texas, Louisiana, and Vermont have begun issuing \$600 plus up to potentially eligible workers even though there is a delay with processing applications for the traditional UI program.

Unemployment Insurance (UI) Processing

- DLIR continues to increase staffing and has two additional call centers for UI processing at the main library and convention center.
 - This has allowed them to address new filings and processing, as well as the backlog.
 - 76 DLIR employees were reassigned to UI, and 18 were transfers from the list of Category 3 workers provided by the Department of Human Resources Development.
 - DLIR is also accepting volunteers.
 - This past Saturday, UI had 100,000 calls.
 - The number of waiting applications in Level 1 and Level 2 is steadily decreasing because of the increased capacity at call centers.
 - For Level 2 processing, there are 210 workstations that are correcting 11,000 errors per day.
- DLIR is using analytical software to streamline calling individuals back.
 - Now, it's down to 10.62 days.
- DLIR needs additional staffing for Level 1 and Level 3. Current breakdown:
 - Level 1: next Monday there will be 120 staff for three shifts
 - Level 2: at an optimum level
 - Level 3: 60 by next Friday.

- Equipment will be installed on Tuesday
- DLIR clarified the timeline for processing and distributing UI payments differs based on each application.
 - Level 1 applications take 15 days.
 - These are applications with no errors in submitted forms.
 - These applications can continue through to verification process.
 - Level 2 applications have errors in submitted forms, such as mistakes in social security number and employer information wrong.
 - This requires UI staff to call applicants to correct the errors.
 - Level 3 applications require a closer examination of eligibility if there is a dispute between employer and employee accounts.
- The Committee requested that an automated message be generated explaining the UI process, such as recorded messages, email blasts, Facebook posts, newspaper ads.
- The \$600 weekly plus up will only run from March 29th through July 31st.
- DLIR is reviewing how to determine if a claimant turned down employment because of the \$600 plus up incentive.

Department of Health (DOH) – State Laboratories

Dr. Edward Desmond, Administrator, provided the Committee the following update in response to the COVID-19 pandemic.

Testing Capacity

- Five laboratories are conducting COVID-19 testing across the state.
 - Test totals range between 400 to 1,000 per day.
 - The peak testing capacity across the state is 3,000 per day.
- Tests that are processed locally are completed the same or the next day.
- The Committee inquired about the status of the JABSOM lab.
 - Dr. Desmond indicated that JABSOM was not ready yet.

Hawaii Testing Success

- DOH stated that Hawaii has been successful in preventing testing failures seen in other states because it has five laboratories with five different supply chains.
- The Committee asked the department to provide data on the inventory of test kits available and needed supplies to process tests.
- Hawaii has one of the highest rates of testing per capita in the nation.

Standardized Procedures

- DOH State Laboratories Division is responsible for overseeing the effective and proper use of testing.
- DOH has provided guidelines to the healthcare system on who should be tested, including what symptoms and type of vulnerable population.
- DOH has not enforced the procedures.
 - Currently, it relies on voluntary compliance.

Report of the Senate Special Committee on COVID-19
Tuesday, April 28, 2020

- The Committee requested a copy of guidelines and procedures for testing provided to healthcare providers.
- DOH states the proper process for testing is a physician examines a patient and then orders a test.
 - Once a patient receives a test, they should be follow-up care from the physician or provider.
- The Committee asked that the department determine who residents should call to report poor practices in testing and care.
- Additionally, the Committee requested that the department review other states' procedures on regularly testing healthcare workers.

Guidance to Counties

- When Honolulu Mayor announced a partnership with a mainland company for testing kits and processing, DOH spoke with him about the poor standing of the company in LA county.
- The Committee highlighted a need for a centralized procedure or process for the Counties to follow.

Re-opening State

- DOH continues to promote its contact tracing and sentinel surveillance program to begin the process of safely lifting social distancing restrictions.
- The state has stockpiled 3,000 test kits and supplies for a sentinel surveillance program and contract tracing.
- DOH is monitoring the progress of antibody testing for use in tracking the disease.
 - Antibodies can be tested through blood samples within a few minutes.
 - One caveat is a study that has shown that people with antibodies for the disease may still be contagious.

Department of Taxation (DoTax)

Ms. Rona Suzuki, Director, provided the Committee the following update in response to the COVID-19 pandemic.

Pandemic Unemployment Assistance (PUA)

- DoTax worked with the DLIR to create an automated interface to begin processing PUA applications.
 - By utilizing the state's tax vendor, DOTAX and DLIR expediated the interface.
 - If there is an issue matching the applicant's previous income filing, corrections will need to be made manually.

Federal Funding Tracking

- Out of the \$1.25B allocated to the state by the CARES Act, Honolulu County received \$387M, and the state received \$862M.

- For the state funds, the Governor is discussing how to appropriate monies, so far he has determined:
 - A portion will be set aside for UI shortfall until the state finds a loan vehicle to plus up account.
 - \$62M will be set aside for neighbor island counties
 - An undetermined amount will be set aside for a possible surge/outbreak later in the year
 - Further allocation of \$862M will need to be negotiated with the Legislature
- The state has 31 people responsible for tracking all available federal funds for COVID-19 response to ensure the state is maximizing aid.

Department of Health (DOH) – Food Safety Branch

Mr. Peter Oshiro, Chief, provided the Committee the following update in response to the COVID-19 pandemic.

Re-Opening Restaurants

- DOH is providing a best practice guide to restaurants.
 - This guidance is published by the National Restaurant Association and includes safety guidelines developed by the Federal Food & Drug Administration and the Centers for Disease Control.
 - This guidance has continued to evolve in response to the pandemic.
 - DOH is distributing the guide with the help of the Hawaii Restaurant Association.
 - DOH has posted the guide on its website.
 - The guide includes information about how restaurants can maintain social distancing, what personal protective equipment employees need, and other safety practices restaurants can use to safeguard diners and staff.
 - Per the Committee's request, DOH will provide a copy of these guidelines to the Committee.
- DOH has not codified rules or safety guidelines that they will require restaurants to follow when they re-open.
 - There has been no apparent discussion of any guidelines at the DOH Director or Governor level to date.
 - DOH regulations have to adhere to public comment rules, so any emergency rules would require legislation or a proclamation to give DOH authority to promulgate emergency rules.
 - DOH Food Safety rules are set on a county by county basis, so any regulations regarding re-opening may differ by county.
 - The Committee highlighted a need for statewide policy and guidance.
 - Which agency would enforce any safety rules has yet to be determined.

Restaurant Inspections

- The DOH has curtailed in-person inspections since March due to the lack of PPE for its inspectors.

- The DOH has done virtual inspections for new restaurants wishing to open during the crisis.
- Restaurants doing take away and delivery business are still required to maintain safety standards, including restrooms for employees.
 - Anyone having a concern about restaurant safety should report those concerns to the DOH Food Safety Branch.
 - Phone: (808)586-8000.
 - DOH will then contact the restaurant in question.
- Due to the lack of codified rules, the DOH will not be inspecting restaurants before re-opening to ensure they adhere to safety precautions.

Hawaii Emergency Management Agency

Mr. Luke Meyers, Administrator; Mr. David Lopez, Acting Executive Officer; and Mr. Shawn Grzybowski, Preparedness Planner, provided the Committee the following update in response to the COVID-19 pandemic.

Traveler Quarantine Restrictions

- Currently, the Department of Transportation (DOT) is the lead agency on the traveler quarantine program.
- Mandatory Traveler Quarantine Program.
 - HIEMA is working on a plan to plan for any mandatory traveler quarantine.
 - The Attorney General has raised potential legal issues with a mandatory quarantine.
 - HIEMA is waiting on the legal guidance before proceeding with detailed planning.
 - Per the Committee's request, HIEMA will request a decision timeline on the legal issues surrounding any mandatory traveler quarantine program.
- Continuation of the self-quarantine program.
 - When the state re-opens, there will be a dramatic increase in airline flights and travelers to the state.
 - HIEMA is drafting a plan that would continue the current self-quarantine program that accounts for:
 - The current workforce that does the screening would return to regular duties; and
 - Replacing that workforce and accounting for the higher passenger load.
 - A workforce of approximately 1800 people would be necessary to continue the screening and follow up programs as currently configured.
 - Per the Committee's request, HIEMA will draft a plan and budget based on certain levels of daily passengers (5,000, 10,000, 15,000, etc.).
- Reporting self-quarantine violations.
 - Any citizen wishing to report a possible self-quarantine violation should contact their county police department or county emergency management agency.
 - This includes violations by returning residents.

Report of the Senate Special Committee on COVID-19
Tuesday, April 28, 2020

- The county enforcement agencies have access to all data pertaining to airport arrivals.
 - This data is being submitted by the Department of Transportation – Airports Division, and HIEMA.

PPE Supplies

- HIEMA is working to ensure a sufficient supply of PPE for the state.
- Per the Committee's request, HIEMA will provide a summary and the data on the state's PPE needs, current supplies, and efforts to maintain the supply chain.
- Health facilities in the state are asked to call their county EMA or HIEMA to request any needed PPE, and HIEMA will try to work with them to ensure they have adequate supplies.

-end of report-