

STAND. COM. REP. NO. 3173

Honolulu, Hawaii

MAR 23 2018

RE: H.B. No. 2375
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Labor and Commerce, Consumer Protection,
and Health, to which was referred H.B. No. 2375, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY
INSURANCE,"

beg leave to report as follows:

The purpose and intent of this measure is to make
housekeeping amendments to update statutory provisions relating to
temporary disability insurance. Specifically, this measure:

- (1) Permits advanced practice registered nurses to certify
an employee's disability;
- (2) Increases the penalty for employers who fail to submit
timely wage and employment information;
- (3) Permits filing of an appeal of a decision on temporary
disability insurance at the various statewide offices of
the Department of Labor and Industrial Relations
(Department);
- (4) Allows the Department to send notices of hearings
electronically or via first-class mail;



- (5) Permits notice of a hearing to be posted on the Department's webpage when notice cannot be delivered; and
- (6) Allows parties to a hearing to appear in person, by telephone, or by other communication device.

Your Committees received testimony in support of this measure from the Department of Labor and Industrial Relations, Hawai'i State Center for Nursing, and five individuals.

Your Committees find that this housekeeping measure will update current processes and improve the efficiency of the temporary disability insurance program. Notably, this measure will allow advanced practice registered nurses to certify employee disabilities thereby giving employees additional provider choices, especially employees residing in rural areas; increase the penalty for employers who fail to submit timely wage and employment information from \$10 to \$250 per request to encourage employers to provide prompt information, thus allowing employees to receive prompt benefit payments; allow the Department to hold hearings in locations other than the county office where the employee was employed or resided at the time of the disability, enabling hearings to be held for employees who may be permanently or temporarily living in another county for medical treatment or other reasons; and allow the Department to hold hearings not only in person but also via telephone or by other communication devices to accommodate parties that are not located on the same island and reduce travel time and costs for the parties.

Your Committees have amended this measure by:

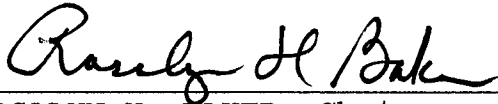
- (1) Changing the effective date to upon its approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Labor and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 2375, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form

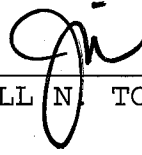


attached hereto as H.B. No. 2375, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Labor and Commerce, Consumer Protection, and Health,



ROSALYN H. BAKER, Chair

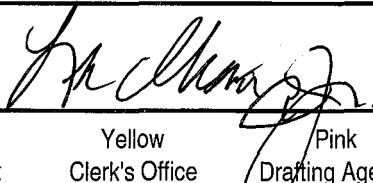


JILL N. TOKUDA, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

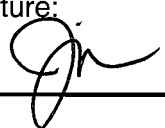
Record of Votes
Committee on Labor
LBR

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2375, HDI	LBR / CPH, JDC	3/21/18		
<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 type="checkbox"/> Pass, unamended 2312	<input checked="" 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)	✓			
ENGLISH, J. Kalani (VC)	✓			
CHANG, Stanley	✓			
IHARA, Jr., Les	✓			
TANIGUCHI, Brian T.				✓
TOTAL	4	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes

The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2375 HD1	LBR/CPH, JDC	3/21/18		
<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 type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TOKUDA, Jill N. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.	/			
TOTAL	4			1
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	

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