
A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. This Act shall be known and may be cited as the
2 "Fair Share Health Care Disclosure Act".

3 SECTION 2. The legislature finds that public assistance
4 programs are essential to ensure that all residents have access
5 to healthy food, quality health insurance, basic needs, cash
6 assistance, child care, and income supports. These programs
7 have helped millions of individuals rise out of poverty.

8 The legislature further finds that some employers have
9 abused public assistance programs by providing their employees
10 with low wages and poor benefits with the intention or
11 expectation that the employees will enroll in public assistance
12 programs to subsidize their income. Nationwide, this business
13 strategy costs taxpayers billions of dollars per year and puts
14 responsible businesses at a competitive disadvantage. For
15 example, more than sixty per cent of enrollees in medicaid and
16 the children's health insurance program are members of working
17 families.



1 The legislature believes that large, profitable employers
2 should pay wages and benefits that do not impoverish workers or
3 shift costs to taxpayers.

4 The purpose of this Act is to require the department of
5 human services to compile data and identify employers that have
6 numerous employees enrolled in public assistance programs so
7 that the legislature and other policy makers will have a deeper
8 understanding of the causes and sources of underemployment and
9 poverty wages, and the resulting economic impacts on society,
10 business, and the state budget.

11 SECTION 3. Chapter 346, Hawaii Revised Statutes, is
12 amended by adding a new section to part I to be appropriately
13 designated and to read as follows:

14 "§346- Fair share health care disclosure; report. (a)
15 The department shall compile data regarding employers having
16 employees who receive public assistance, including benefits
17 under the state medicaid program and other health care related
18 services or benefits administered by the department, by
19 reviewing employment information submitted to the department by
20 recipients. No later than twenty days prior to the convening of
21 each regular session, the department shall submit a report to



1 the legislature that identifies the fifty employers having the
2 highest number of employees who were recipients of public
3 assistance during the previous fiscal year.

4 (b) For each of the fifty employers, the report shall also
5 include the:

- 6 (1) Employer's address;
- 7 (2) Number of full-time and part-time employees during the
8 previous fiscal year;
- 9 (3) Number of recipients employed by the employer during
10 the previous fiscal year;
- 11 (4) Number of recipients who were a spouse or dependent of
12 an employee;
- 13 (5) Cost to the State, if available, of providing public
14 assistance to the employees, spouses of employees, and
15 dependents of employees; and
- 16 (6) Number of employees who were also recipients and were
17 eligible to receive employer-provided health benefits
18 in excess of the minimum requirements established by
19 chapter 393.

20 (c) The report shall not include the names or other
21 personally identifiable information of any employees, spouses of



1 employees, or dependents of employees and shall be subject to
2 the privacy standards established pursuant to the Health
3 Insurance Portability and Accountability Act of 1996, P.L.
4 104-191, and its related regulations, as may be amended.

5 (d) The department of labor and industrial relations shall
6 assist the department in complying with this section, including
7 sharing employment data.

8 (e) As used in this section, "recipients" means employees
9 who receive public assistance as described in subsection (a)."

10 SECTION 4. New statutory material is underscored.

11 SECTION 5. This Act shall take effect on July 1, 2060.



Report Title:

Department of Human Services; Department of Labor and Industrial Relations; Public Assistance; Employers; Employees; Report

Description:

Requires the department of human services to compile information regarding employers having employees who receive public assistance and to submit an annual report to the legislature on the 50 employers with the highest number of employees receiving public assistance. Requires the department of labor and industrial relations to share employment data with the department of human services. Effective 7/1/2060. (HD1)

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