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## A BILL FOR AN ACT

RELATING TO ADJUSTING THE ANNUAL PENSIONS OF RETIRED PATIENT  
EMPLOYEES AT HANSEN'S DISEASE FACILITIES.

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

1 SECTION 1. Section 326-23, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "**§326-23 Pensions for patient employees at facilities.**

4 (a) All patient employees or patient laborers at every facility  
5 maintained for the treatment and care of persons with Hansen's  
6 disease shall be entitled, upon retirement after twenty years or  
7 more service with the department of health, to a pension in an  
8 amount which shall be equal to sixty-six and two-thirds per cent  
9 of the monthly wage or salary which the patient was receiving at  
10 the time of retirement, or to a pension in an amount which shall  
11 be equal to sixty-six and two-thirds per cent of the average  
12 monthly wage or salary which the patient employee was receiving  
13 during the last twelve months of employment at the department of  
14 health, whichever is higher. For the period from July 1, 2007,  
15 to June 30, 2008, the pension amounts shall be adjusted as  
16 follows:



1       (1) Retired patient employees receiving less than \$4,000  
2       annually shall be granted a five per cent increase;

3       (2) Retired patient employees receiving \$4,000 or more but  
4       less than \$5,000 annually shall be granted a four per  
5       cent increase; and

6       (3) Retired patient employees receiving \$5,000 or more  
7       annually shall be granted a 2.5 per cent increase.

8       For the period from July 1, 2008, to June 30, 2009, all retired  
9       patient employees shall be granted a 2.5 per cent increase.

10       Thereafter, the pension amounts shall remain as adjusted  
11       effective for the period ending June 30, 2009.

12       (b) Patient employees may use service with any state  
13       department or agency not exceeding five years which has not been  
14       credited under the state retirement system in lieu of service  
15       with a facility maintained for the treatment and care of persons  
16       with Hansen's disease to satisfy the requirements of [~~the~~  
17       ~~preceding paragraph,~~] subsection (a); provided that the service  
18       shall be authenticated by official records of the department  
19       where service was performed.

20       (c) When work is available at Kalaupapa which may be  
21       fulfilled by patient residents of the facility under section  
22       326-21 and there are no applicants for those positions from



1 among the eligible patients, pensioned patients who are in  
2 residence at Kalaupapa may be reemployed, not to exceed nineteen  
3 hours per week, without relinquishing the pension granted to  
4 them under this section. Furthermore, notwithstanding any other  
5 law relating to this subject, that reemployment shall not result  
6 in suspension or termination of payment of the pension granted  
7 originally or serve to increase, decrease, or alter the pension  
8 in any way."

9 SECTION 2. In the event a retired patient employee has  
10 died after July 1, 2007, and before the payment of the pension  
11 adjustment provided for in this Act, the amount of the increase  
12 owed to that person from July 1, 2007, until the date of death  
13 shall be paid to the person's estate.

14 SECTION 3. Statutory material to be repealed is bracketed  
15 and stricken. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval  
17 and shall be retroactive to July 1, 2007.



**Report Title:**

Pensions of Hansen's Disease Facilities Employees

**Description:**

Adjusts pension amounts for retired patient-employees of Hansen's disease facilities. Provides for annual increase to be paid to deceased retired patient employees' estates. (SB3228 HD1)

