

testimony

From: manis [manis@lava.net]
Sent: Tuesday, March 11, 2008 12:07 PM
To: testimony
Subject: HB2520 HD3

Attachments: HB2520 HD3caregvr disability ins



HB2520
3caregvr disability ir

Testimony in attachment is the same as that below in case you can't open it.
Thanks, Laura Manis, 597-8838

Kokua Council, Laura Manis Testifier

COMMITTEE ON HUMAN SERVICES AND PUBLIC HOUSING Senator Suzanne Chun Oakland, Chair Senator
Les Ihara, Jr., Vice Chair

COMMITTEE ON JUDICIARY AND LABOR
Senator Brian T. Taniguchi, Chair
Senator Clayton Hee, Vice Chair

Thursday, March 13, 2008 1:30 p.m. Conference Room 016

HB 2520 HD3 RELATING TO CAREGIVERS. Amends the temporary disability insurance law to permit an eligible employee to collect up to 4 weeks of temporary disability insurance benefit payments to care for a family member with a qualifying disability.

SUPPORT with comment.

This testimony is being submitted on behalf Kokua Council whose mission includes advocating for the health of the elderly and those vulnerable populations who can not advocate for themselves.

Our policy and the State's, are committed to helping the frail elderly stay at home as long as possible. For this reason it is important to support the many caregivers who can make this possible.

Over 80% of caregiving is provided at home by unpaid family members and friends saving the state many millions of dollars they would otherwise expend for institutional care.

A recent research report by Pacific Research & Planning Associates stated that 55% of their sample were employed and of these, one quarter said their employment had been affected by their caregiving causing them to work reduced hours, take time off and even leave their jobs. Their salaries and benefits were effected by this. They stated that the only benefit they received from their employers was the ability to work part-time.

This bill will help relieve the pressure on caregivers as well as the burden on long term care facilities.

Giving 4 weeks will be helpful and according to previous testimony will not substantially raise premiums, at present quite low.

In addition, by assuring employees paid weeks on temporary disability benefits, employers who will not lose the expertise of experienced workers.

Laura G. Manis, Legislative Chair,
Kokua Council tel. 597-8838



The Voice of Small Business®

Before the Senate Committee on Human Services and Public Housing
Before the Senate Committee on Judiciary and Labor

DATE: March 13, 2008

TIME: 1:30 p.m.

PLACE: Conference Room 016

HB 2520, HD3: Relating to Caregivers

My name is Melissa Pavlicek and I am the state director for the National Federation of Independent Businesses (NFIB) in Hawaii. We oppose **HB 2520, HD3** in its current form and respectfully ask that you hold this measure.

NFIB is the largest advocacy organization representing small and independent businesses in Washington, D.C. and all 50 state capitols, with more than 1,000 members in Hawaii and 600,000 members nationally. NFIB members are a diverse group consisting of high-tech manufacturers, retailers, farmers, professional service providers and many more.


NFIB agrees that caregiving is an important issue, with the potential to affect many businesses as well as families, and that the public policy questions involved should be studied carefully. We are specifically concerned that because this bill proposes wage replacement for employees out to care for parents and/or children, it potentially places an administrative burden on employers, as well as a potentially unworkable burden to verify the legitimacy of the leave, given medical privacy laws. We are concerned about whether the employer will be forced to determine whether one of two spouses or both will be eligible for the paid leave. We have significant concerns about how this will impact small businesses.

With respect to developing creative solutions to promote workplace friendly policies, such as flextime, work-at-home options, job-sharing, counseling and employer-paid services of a care manager, NFIB generally favors empowering employers to offer their employees various options, without the potential unintended consequences that mandated benefits can sometimes entail. NFIB is a key stakeholder regarding small business issues and appreciates the opportunity to be included in this very important public policy discussion. Please do not advance this measure.

1099 Alakea Street, Suite 2140, Honolulu, Hawaii 96813

Leonard K.P. Leong
Vice President

March 11, 2008



Chairs Chun Oakland and Taniguchi
Members of the Committees on Human
Service and Public Housing and
Judiciary and Labor

Re: HB 2520,HD3

I am Leonard Leong of Royal Contracting Co., Ltd. Royal Contracting Co. is a local company that cares for it's employees. We support the Hawaii Family Leave Act but we do not support HB2520HD3.

The issue is emotional but ultimately we all pay as the cost is recovered by the Insurance Company.

Very truly yours,
Royal Contracting Co., Ltd



Leonard K.P. Leong
Vice President

Senator Suzanne Chun Oakland, Chair
Senator Les Ihara, Jr., Vice Chair
Committee on Human Services & Public Housing

Senator Brian Taniguchi, Chair
Senator Clayton Hee, Vice Chair
Committee on Judiciary & Labor

State Capitol, Honolulu, Hawaii 96813



HEARING Thursday, March 13, 2008
 1:30 pm
 Conference Room 016

RE: HB2520, HD3, Relating to Caregivers

Chairs Chun Oakland and Taniguchi, Vice Chairs Ihara and Hee, and Members of the Committees:

Retail Merchants of Hawaii (RMH) is a not-for-profit trade organization representing about 200 members and over 2,000 storefronts, and is committed to support the retail industry and business in general in Hawaii.

RMH opposes HB2520, SD3, which amends the Temporary Disability Insurance Law to permit an eligible employee to collect up to four weeks of TDI benefit payments to care for a family member with a qualifying disability. Considering that employees are an employer's most valued asset, we appreciate your intent to provide a measure of support during a difficult time.

However, in conversations with our members, it became very clear that this measure raises far greater concerns: specifically: 1) conflicts with federal regulations; 2) implications of expanding coverage on insurance policies; and 3) increased costs for business, particularly small businesses that are already at financial disadvantage.

RMH believes that further dialogue between all stakeholders is warranted to resolve these concerns and craft a workable solution. Thank you for your consideration and for the opportunity to comment on this measure.

A handwritten signature in cursive script, appearing to read 'Carol Prejile', is written in black ink.

President

RETAIL MERCHANTS OF HAWAII
1240 Ala Moana Boulevard, Suite 215
Honolulu, HI 96814
ph: 808-592-4200 / fax: 808-592-4202



To: Chairs Chun Oakland and Taniguchi and
Members of the Committee on Human Services and Public Housing and Judiciary
and Labor testimony@capitol.hawaii.gov

From: Audrey Hidano *AH*

Date: March 11, 2008

Subject: HB 2520, HD3 Relating to Caregivers
Hearing: Thursday, March 13, 2008 at 1:30 p.m., Room 016

Honorable Chun Oakland and Taniguchi, Chairs and Committee Members
State Capitol Room 016
Honolulu, Hawaii 96813

Dear Chairs Chun Oakland and Taniguchi and Members of the Committee

I am Audrey Hidano, Hidano Construction, Inc. testifying in strong OPPOSITION to HB 2520, HD3 which would increase the cost of doing business in Hawaii and MISUSE the TDI law. TDI benefits are specifically for the disabled employee and not for taking leave to care for a family member. We already have the Hawaii Family Leave Act to provide for such circumstances.

Thank you for the opportunity to testify in OPPOSITION to this bill.

TO : COMMITTEE ON HUMAN SERVICES AND PUBLIC HOUSING
Senator Suzanne Chun Oakland, Chair
Senator Les Ihara, Jr. Vice-Chair

COMMITTEE ON PUBLIC SAFETY
Senator Will Espero, Chair
Senator, Clarence K. Nishihara, Vice-Chair

FROM: Eldon L. Wegner, Ph.D.
POLICY ADVISORY BOARD FOR ELDER AFFAIRS (PABEA)

HEARING: 1:15 pm Thursday, March 13, 2008
Conference Room 016, Hawaii State Capitol

SUBJECT: HB 2520 HD3 RELATING TO CAREGIVERS

PURPOSE: Amends the TDI law to permit an eligible employee to collect up to 2 weeks of temporary disability insurance benefit payments to care for a family member with a qualifying disability

POSITION: The Policy Advisory Board for Elder Affairs **strongly supports approval** of HB 2520 HD 3 which would create 2 weeks of paid family leave for employed caregivers meeting certain criteria through the Temporary Disability Insurance program. However, we believe the purpose of the bill would be better served by retaining the intention of the original bill to provide up to 4 weeks of paid family leave.

RATIONALE:

The Policy Board for Elder Affairs has a statutory obligation to advocate on behalf of the senior citizens of Hawaii. While we advise the Executive Office on Aging, we do not speak on behalf of the Executive Office of Aging.

§ This bill is a recommendation of the Joint Legislative Taskforce on Family Caregiving, which is charged with developing comprehensive and coherent policies to support families caring for frail elderly and other disabled persons;

§ The proposed policy, which is based on an existing program operating in California, would provide meaningful support for persons balancing work and caregiving obligations and would increase the ability for such persons to continue in the labor force by enabling them to attend to

the most urgent caregiving situations.

- § The proposal is intended as a win-win, since retention of experienced workers in the labor force benefits the caregiver, the employer and the larger society;
- § Surveys in 2007 of employers and of family caregivers in Hawaii provide data which support the need for assisting employed caregivers and a growing recognition by employers of the lost productivity due to the strains of working caregivers;

-2-

Wegner

- § The 2007 survey of family caregivers in Hawaii showed that 55% were balancing work and employment. They reported many strains in balancing these obligations, often resulting in absences, interruptions during work hours, leaving early, and anxieties which reduced productivity.
- § Reducing hours of work, reducing work responsibilities, and passing up promotions result in substantial financial sacrifices by employed caregivers. A high proportion of unemployed caregivers also reported leaving jobs because of their obligations as caregivers, usually at great financial sacrifice to their families;
- § The survey data suggest such a supportive policy would likely result in greater workforce retention, benefiting the caregiver, the employer and the general society, especially if combined with other workplace policies such as flexible hours to support caregivers;
- § According to testimony of the Department of Labor at the first hearing of this bill before the Committee on Health, the cost of TDI averages \$150 per year, about \$12 per month per employee. By spreading the cost across the entire labor force, the cost can be kept low. The new paid family leave provision would probably average less than \$5 per month additional B a relatively trivial expense considering the potential benefits
- § Providing a potential four weeks provides a more meaningful protection to caregivers than 2 weeks, and is likely to make very little difference in the premium.

In conclusion, paid family leave exists in California and in many other

countries as a significant support to employed family caregivers and as an economic policy which encourages labor force participation. We believe such a policy would have positive impacts for Hawaii and the Policy Advisory Board for Elder Affairs strongly supports this bill.

Thank you for allowing me to testify on this bill.

Hawaii Aging Advocates Coalition

Testimony to the Senate Committee on Human Services and Public Housing and
Judiciary and Labor
Thursday, March 13, 2008
Conference Room 016; 1:15pm

RE: H.B. No. 2520, H.D. 3, RELATING TO CAREGIVERS.

Chairs Chun Oakland and Taniguchi, and Members of the Joint Committee,

My name is Wes Lum and I am testifying on behalf of the Hawaii Aging Advocates Coalition (HAAC). **HAAC supports this measure.**

This measure amends the Temporary Disability Insurance (TDI) law to permit an eligible employee to collect up to 2 weeks of TDI benefit payments to care for a family member with a qualifying disability.

We believe that the costs of paid family leave benefits business. When you have an employer who is good to you, you stick with them. A short-term investment leads to long-term gains as satisfied, productive employees remain loyal. Investing in employees is good for business.

Additionally, paid family leave makes Hawaii a better, more attractive place for business. Paid family leave will likely attract skilled workers and therefore help, rather than hinder, Hawaii's business environment by increasing competition for workers in the marketplace.

Finally, workers should not be forced to choose between their families and their jobs. Frail older adults need care, and without government action, families will continue to suffer under the strain of trying to secure a paycheck. Employees need financial support to meet their obligations of work and eldercare.

HAAC supports this measure and asks for your favorable consideration. Thank you for the opportunity to testify.

**Founding
Organizations**

City & County
of Honolulu
Elderly Affairs
Karen Miyaki
Craig Yamaguchi

City & County
of Honolulu
Service Providers
Tony Wong

FACE
Stan Bain
Jim Howell

Hawaii Caregiver
Coalition
Tony Lenzer

HARA
Al Hamai
Bruce McCullough

Hawaii County
Office on Aging
Alan Parker
Lito Asuncion

Hawaii County
Service Providers
Debra Nakaji

JACOSA
Lyn McNeff

Kauai Agency on
Elderly Affairs
Kealoha Takahashi

Kokua Council
Larry Geller

Maui County
Office on Aging
John Tomoso

Maui County
Service Providers
Kathy Louis

Maui Long Term
Care Partnership
Rita Barreras

PABEA
Gary Simon
Eldon Wegner

Co-Conveners
Wes Lum
Hawaii Caregiver
Coalition

Harry Mattson
Kokua Council

To: Senator Suzanne Chun Oakland, Chair
Senator Les Ihara, Jr., Vice Chair
COMMITTEE ON HUMAN SERVICES AND PUBLIC HOUSING

Senator Will Espero, Chair
Senator Clarence K. Nishihara, Vice Chair
COMMITTEE ON PUBLIC SAFETY

From: Lyn Moku, Division Manager Phone: 532-0806
National Multiple Sclerosis Society

Date: Thursday, March 13, 2008

Subject: **WRITTEN TESTIMONY IN SUPPORT OF HB2520, HD3
RELATING TO CAREGIVERS.**

The National Multiple Sclerosis Society supports HB2520, HD3 relating to caregivers, which amends the temporary disability insurance law to permit an eligible employee to collect up to four weeks of temporary disability insurance benefit payments to care for a family member with a qualifying disability. Effective 07/01/2009.

The *2007 Hawaii Family Caregiver Needs Assessment* prepared for the Joint Legislative Committee on Family Caregiving stated that caregivers have been caring on average for 1-5 years and provided over 20 hours a week of care. Almost 30% reported providing constant care, and less than 10% used any paid help. 55.8% of the sample were employed and 26.8% of those sampled said their employment had been affected by caregiving responsibilities. The collateral affects of family caregivers who are employed include: reduced work hours, turning down promotions, taking leaves of absence, rearranging work schedules, and taking time off to attend to caregiving duties. 73.6% of the caregivers surveyed were female, with an average age of 54. 55.9% are caring for an aging parent; 16% are caring for a spouse.

It is difficult to imagine how someone could maintain a full-time job in addition to being a part-time caregiver, yet this situation is common. It is more difficult to imagine that someone would have to take off without pay from work—to care for a family member. Now, in addition to the emotional and physical demands of caregiving, the person is faced with financial stress and employment concerns.

The National MS Society supports financial incentives to help caregivers cope with constant and often overwhelming duties. The proposed Bill includes provisions for

reasonable compensation for wage loss caused by the need to care for a family member with a serious health condition. Expanding these benefits to include family caregivers will allow them to continue working and caring for their family members.

Please support HB2520, HD3. Thank you for the opportunity to testify in support of this Bill.

#

Lyn Moku
Division Manager
National Multiple Sclerosis Society
All America Chapter, Hawaii Division
418 Kuwili Street, #105
Honolulu, Hawaii 96817
tel +808-532-0806
fax +808-532-0814



**National
Multiple Sclerosis
Society**

JOIN THE MOVEMENT
nationalMSSociety.org/hih

March 11, 2008

This is Yoshie Tanabe, citizen. Thank you, Sen. Chun Oakland, Chair; Sen. Les Ihara, Vice Chair; Sen. Brian Taniguchi, Chair and Sen. Clayton Hee, Vice Chair:

I am in support of HB2520 Relating to Caregivers. As I understand it, this Bill would permit an ELIGIBLE employee to collect up to 4 weeks of temporary disability insurance benefit payments to care for a family member with a QUALIFYING disability.

Once having been a working mother of three little children, I know how it feels to have to depend on neighbors to care for my children when they were sick. (“Neighbors” because we lived in Chicago, far away from immediate family). Having recently had a sickly and practically bed-ridden 93 years old mother-in-law, I know how working children of elderly, deathly sick parents must feel.

It is not always within one’s means to hire capable help and four weeks of capable help can cost about \$9600 at \$20/hr times 24 hours for a five day week times four. A parent, a child, who must work and care for a “qualifying” disabled child or parent must sleep sometime—must do the shopping and cooking and cleaning too.

Add to that trying to cut corners—I know. It is depressing to the point of wanting to give up on life. My husband worked extra jobs refereeing games for a pittance, together we ate at home and cheaply. We shopped at Goodwill and the Salvation Army in Chicago, we walked until we could afford a second-hand car, we saved the plastic utensils and cups when we could eat at McDonald’s....

As I understand it, eligible workers are already entitled to 26 weeks a year. I also understand that many workers do not use up those 26 weeks. So why cannot 4 weeks of those 26 be available to those workers to care for “qualifying” children and/or parents? I believe this would make for a much more humane society—something we have not had in the last few weeks.

Humbly submitted,
Yoshie Tanabe
1149 Namahealani Place
Honolulu, HI 96825
394-1908