



**STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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February 11, 2008

**LATE TESTIMONY**

To: The Honorable Alex Sonson, Chair  
and Members of the House Committee on Labor and Public Employment

Date: February 12, 2008

Time: 8:50 a.m.

Place: Conference Room 309, State Capitol

From: Darwin L.D. Ching, Director  
Department of Labor and Industrial Relations

**Testimony in Strong Support  
of  
House Bill 3166 – Relating to the Labor and Industrial Relations Appeals  
Board**

**I. OVERVIEW OF CURRENT PROPOSED LEGISLATION**

House Bill 3166 is an Administration bill which proposes to authorize the Labor and Industrial Relations Appeals Board ("Board") to employ a hearings officer in order for the Board to expedite hearings on certain workers' compensation matters. The hearings officer would hear certain types of appeals and propose a decision and order for review and approval by the full board. This would allow for expedited resolution of those appeals.

**II. CURRENT LAW**

Currently, the Board is not authorized to allow a hearings officer to hold hearings in regards to controverted medical issues.

**III. HOUSE BILL**

The Department strongly supports this bill as it would result in faster adjudication of time sensitive issues, such as medical treatment disputes, on appeal from the Department of Labor and Industrial Relations. This will ensure quicker resolution to injured workers and employers.

Certain issues appealed from decisions of the Director of Labor and Industrial Relations to the Board, including workers' compensation treatment plan issues, vocational rehabilitation issues, and temporary total disability issues are time-sensitive as they are critical to the employee in terms of continuing benefits and to the employer in terms of determining liability.

Expediting decision making on such appeals can be achieved through fast-tracking these particular appeals through a hearings officer trained, employed, and directed by the chair and members of the Board. A proposed decision and order prepared by the hearings officer would then be reviewed and approved by the Board.