



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

830 PUNCHBOWL STREET, ROOM 321
HONOLULU, HAWAII 96813
www.hawaii.gov/labor
Phone: (808) 586-8842 / Fax: (808) 586-9099
Email: dllr.director@hawaii.gov

LATE TESTIMONY

February 4, 2008

To: The Honorable Brian Taniguchi, Chair
and Members of the Senate Committee on Judiciary and Labor

Date: February 5, 2008

Time: 9:00 a.m.

Place: Conference Room 016, State Capitol

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

**Testimony in Opposition
of
Senate Bill 3088 – Relating to the Labor and Industrial Relations Appeals
Board**

I. OVERVIEW OF CURRENT PROPOSED LEGISLATION

Senate Bill 3088 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. SENATE 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.

S.B. 2594

February 4, 2008

Page 2

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.