

STAND. COM. REP. NO.

673

Honolulu, Hawaii

MAR - 6 2009

RE: S.B. No. 63
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 63, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION,"

begs leave to report as follows:

The purpose of this measure is to require an employer to pay temporary total disability benefits to an injured employee regardless of whether the employer denies the employee's claim.

Furthermore, this measure penalizes an employer who delays payment by increasing the amount of temporary total disability benefits that are payable to the employee. This measure also authorizes the Director of Labor and Industrial Relations to issue a credit to an employer for any overpayment of benefits.

Seven written comments were submitted to your Committee. The written comments may be reviewed on the Legislature's website.

Your Committee believes that this measure will discourage employers from routinely denying claims pending an investigation and instead encourage employers to ensure that workers return to work only when they are able.

Your Committee has amended this measure by changing the effective date to July 1, 2090, and July 1, 2100, respectively, for the purposes of continued discussion of the matter.



As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 63, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 63, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,

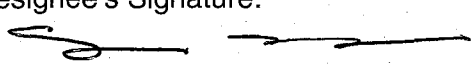


DONNA MERCADO KIM, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Ways and Means
WAM

| | | | | |
|--|--------------------------|-------------------------|----------------------------------|----------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| SB 63, SD1 | LBR, WAM | MAR 2, 2009 | | |
| <input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____ | | | | |
| The Recommendation is: | | | | |
| <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313 | | | | |
| Members | Aye | Aye (WR) | Nay | Excused |
| KIM, Donna Mercado (C) | / | | | |
| TSUTSUI, Shan S. (VC) | / | | | |
| CHUN OAKLAND, Suzanne | / | | | |
| ENGLISH, J. Kalani | / | | | |
| FUKUNAGA, Carol | / | | | |
| GALUTERIA, Brickwood | / | | | |
| HEE, Clayton | / | | | |
| HOOSER, Gary L. | / | | | |
| KIDANI, Michelle N. | | | / | |
| KOKUBUN, Russell S. | | | | / |
| TOKUDA, Jill N. | / | | | |
| HEMMINGS, Fred | | | / | |
| | | | | |
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| | | | | |
| | | | | |
| TOTAL | 9 | 0 | 2 | 1 |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted | | | | |
| Chair's or Designee's Signature: | | | | |
|  | | | | |
| Distribution: | | | | |
| Original File with Committee Report | Yellow Clerk's Office | Pink Drafting Agency | Goldenrod Committee File Copy | |

*Only one measure per Record of Votes