



# Hawaii State Chiropractic Association

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February 7, 2009

THE SENATE  
Committee on Labor  
Chair Se. Dwight Takamine  
Vice Chair Sen. Brian Taniguchi

For Hearing on  
Date: Tuesday, February 10, 2009  
Time: 2:45 pm  
Place: Conference Room 224

Dear Chair Takamine, Vice Chair Taniguchi, and members of the committee:

My name is Gary Saito. I am the President and Executive Director of the Hawaii State Chiropractic Association. Our organization **supports the intent of SB 63.**

Time and time again, injured workers are denied their workers' compensation benefits because of denials of TTD benefits by the employer and insurance carrier. Insurance carriers often do not give a valid medical reason for denying benefits, nor do they have a valid medical reason to question the worker's claim of injury.

What happens when injured workers are denied benefits?

1. Weeks and months go by without reasonable and appropriate medical care and TTD benefits.
2. Without TTD benefits because of employer denials, workers face unreasonable financial hardship and sacrifice. They are unable to meet mortgage payments, food bills, family expenses, etc.
3. Even though they request a DCD hearing to determine compensability, they do not get hearings scheduled in a timely manner (usually 6 months to a year). Even though the DCD professes that hearings are scheduled within 80 days, I have yet to see it happen.
4. Many legitimately injured employees suffer financial ruin because of a lack of caring by the employer/carrier and a lack of responsiveness to their dilemma from the DCD. Most employees do not

have 6-8 months worth of savings to fall back on. Without TTD relief, their financial hardship begins the day they are injured.

For years, carriers have denied benefits "pending investigation". They do not have to say:

1. what is being investigated
2. how the investigation is being conducted
3. when it will be concluded
4. or what the basis of the investigation is.

The system right now fails miserably to protect the injured worker's right to reasonable and appropriate TTD benefits. Denials and delays often have nothing to do with the employee's injury. It has everything to do with denying benefits as a way to limit expenses and liability and to boost profits.

Every employer in the state should insist that their premium dollars go toward the treatment of their injured workers. Unfortunately, many employers subscribe to and encourage the existing pattern of denying their employees their rights under current workers' compensation law.

We ask for legislators to uphold the statutes by requiring the proper treatment of injured workers. This bill is one attempt to protect and preserve injured workers' rights to benefits.

**We urge your support of SB 63.** Thank you for your consideration of our position on this issue.

Sincerely,

A handwritten signature in black ink, appearing to read "Gary Saito". The signature is fluid and cursive, with a large loop at the beginning and a long tail extending to the right.

Gary Saito, DC  
President and Exec Director, HSCA

Testimony for LBR 2/10/2009 2:45:00 PM SB63

Conference room: 224

Testifier position: oppose

Testifier will be present: No

Submitted by: Bob Hansen

Organization: Individual

Address:

Phone:

E-mail: [dad@mauirealestate.net](mailto:dad@mauirealestate.net)

Submitted on: 2/10/2009

Comments:

Anything that has to do with making it harder for businesses to stay in business is ridiculous at this time or any time.

Testimony for LBR 2/10/2009 2:45:00 PM SB63

Conference room: 224

Testifier position: oppose

Testifier will be present: No

Submitted by: Ulrich Okura Kirkegaard

Organization: Maui Tech Guru

Address:

Phone:

E-mail: [uli@mauitechguru.com](mailto:uli@mauitechguru.com)

Submitted on: 2/10/2009

Comments:

will limit business growth in this economy especially.

Testimony for LBR 2/10/2009 2:45:00 PM SB63

Conference room: 224

Testifier position: oppose

Testifier will be present: No

Submitted by: Leilani Pulmano

Organization: Individual

Address: 27 Piina Place Lahaina, HI

Phone: 808-357-9333

E-mail: [Leilani.Pulmano@gmail.com](mailto:Leilani.Pulmano@gmail.com)

Submitted on: 2/10/2009

Testimony for LBR 2/10/2009 2:45:00 PM SB63

Conference room: 224

Testifier position: oppose

Testifier will be present: No

Submitted by: Tina Hoenig

Organization: PuroClean

Address: 138 Kapela Place Kahului, HI

Phone:

E-mail: [Tina@HoenigMail.com](mailto:Tina@HoenigMail.com)

Submitted on: 2/10/2009

Comments:

I oppose this bill.