

S.B. NO. 2841

JAN 25 2012

A BILL FOR AN ACT

RELATING TO INFORMATION FOR TEMPORARY DISABILITY INSURANCE
CLAIMS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 392-51, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "[~~+~~]**\$392-51**[~~+~~] **Failure to submit timely wage and employment**
4 **information.** An employer to whom an insurer or an employee has
5 sent a request for information on wages, hours, and duration of
6 employment regarding an employee claiming disability benefits
7 shall complete and submit to the requestor such information
8 within seven days from the date the request was received. If
9 the employer fails to submit such information within seven days,
10 the director upon notification by the insurer or the employee
11 shall levy a penalty of [~~\$10~~] \$500 for each delinquent request
12 where the employer fails to show good cause for failure to file
13 on time."

14 SECTION 2. Statutory material to be repealed is bracketed
15 and stricken. New statutory material is underscored.

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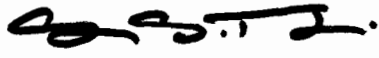
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1 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: 

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BY REQUEST

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Report Title:

Temporary Disability Insurance; Submission of Wage and
Employment Information

Description:

Establishes a deadline for an employer to submit the Employer's
Statement portion of a Temporary Disability Insurance claim form
when requested by an employee.

*The summary description of legislation appearing on this page is for informational purposes only and is
not legislation or evidence of legislative intent.*

JUSTIFICATION SHEET

DEPARTMENT: Labor and Industrial Relations

TITLE: A BILL FOR AN ACT RELATING TO INFORMATION FOR TEMPORARY DISABILITY INSURANCE CLAIMS.

PURPOSE: To establish a deadline by which an employer must complete the Employer's Statement portion of the Temporary Disability Insurance (TDI) claim form when requested by an employee.

MEANS: Amend section 392-51, Hawaii Revised Statutes (HRS).

JUSTIFICATION: The TDI law is intended to partially compensate for the loss of wages caused by temporary non-occupational disability or maternity. The employer facilitates the claim filing process by providing wage and employment information in a timely manner.

Section 392-51, HRS, however, requires an employer to provide wage and employment information within seven days only if requested by an insurer. The amendment would afford the disabled employee the same right as an insurer to obtain wage and employment information within seven days.

The penalty for not complying with section 392-51, HRS, is being raised to \$500 per request to reflect the increase in the consumer price index.

Impact on the public: The amendment will expedite the TDI claims process and will provide for timely benefits to the claimant.

Impact on the department and other agencies: None.

GENERAL FUND: None.

OTHER FUNDS: Modest increase in moneys going into the TDI
Special Fund.

PPBS PROGRAM
DESIGNATION: LBR-183.

OTHER AFFECTED
AGENCIES: None.

EFFECTIVE DATE: Upon approval.