

**THE LAW OFFICES OF DOUGLAS THOMAS MOORE**  
*Over 23 years serving the People of Hawai'i*

**Office Address:**  
Century Square  
1188 Bishop Street, Suite 1401  
Honolulu, Hawai'i 96813

**Telephone: (808) 526-0056**  
**Fax: (808) 526-0057**  
**Moore4640@hawaiiantel.net**

---

January 31, 2012

VIA HAND DELIVERY

TO: House Labor Committee  
Hon. Rep. Karl Rhoads, Chair  
Hon. Kyle Yamashita, Vice Chair

Re: TESTIMONY IN SUPPORT OF HB 2579  
TO BE HEARD 1/31/2012 @ 9:00 a.m

Dear Rep. Rhoads and Committee Members:


I support HB 2579 to amend HRS § 392-51 requiring the employer to complete and submit within 7 days the employer's information required by the Temporary Disability Insurance (TDI) application. Failure to so timely submit can be fined \$500.00, an increase from \$10.00, where the employer fails to show good cause for failure to file on time.

In my practice of representing workers' compensation injured workers, when the claim is being denied for whatever reason, then Temporary Total Disability (TTD) wage loss benefits are not paid. The injured worker needs income to just survive. So, we turn to TDI benefits. But, if the employer fails to or refuses to fill out their portion of the TDI application and submit it, then the injured worker continues not to have needed income. This causes great economic, emotional, and physical stress to the injured worker. I have this situation going on now with an injured worker and his employer. It is not fair, reasonable, or right that the employer unnecessarily causes these problems to the injured worker. So, deterrence is necessary and appropriate to discourage such conduct. The increase in the penalty should encourage employers to do what they are already required by law to do.

I am happy to see that the Director of the DLIR, the Hon. Dwight Takamine, supports HB 2259.

Help deter unreasonable conduct by supporting HB 2579. Please pass this bill. Thank you. Should you have any questions or need further information from me, please do not hesitate to contact me.

Very Truly Yours,



Douglas Thomas Moore