

STAND. COM. REP. NO.

3434

Honolulu, Hawaii

APR 05 2018

RE: H.B. No. 2375
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2375, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO TEMPORARY DISABILITY INSURANCE,"

begs leave to report as follows:

The purpose and intent of this measure is to make housekeeping amendments to update statutory provisions relating to temporary disability insurance. Specifically, this measure:

- (1) Permits advanced practice registered nurses to certify an employee's disability;
- (2) Increases the penalty for employers who fail to submit timely wage and employment information;
- (3) Permits filing of an appeal of a decision on temporary disability insurance at the various statewide offices of the Department of Labor and Industrial Relations (Department);
- (4) Allows the Department to send notices of hearings electronically or via first-class mail;



- (5) Permits notice of a hearing to be posted on the Department's webpage when notice cannot be delivered; and
- (6) Allows parties to a hearing to appear in person, by telephone, or by other communication device.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations and International Longshore and Warehouse Union, Local 142.

Your Committee finds that this housekeeping measure will update current processes and improve the efficiency of the temporary disability insurance program. This measure will give employees additional provider choices, especially those residing in rural areas, without sacrificing quality of care, further incentivize compliance with the temporary disability insurance provisions already provided for in law, provide for appeals of temporary disability insurance decisions at a greater variety of more convenient locations, make distribution of hearing notices more efficient, and provide more options for parties to appear at a hearing in cases in which travel to the site of the hearing could be difficult or impracticable.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2375, H.D. 1, S.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



BRIAN T. TANIGUCHI, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:*	Committee Referral:	Date:		
<i>HB 2375, HDI, SDI</i>	<i>LBR/CPH, JDC</i>	<i>3/29/2018</i>		
<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 checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, Brian T. (C)	✓			
RHOADS, Karl (VC)	✓			
GABBARD, Mike				✓
KIM, Donna Mercado	✓			
THIELEN, Laura H.	✓			
TOTAL	<i>4</i>	<i>0</i>	<i>0</i>	<i>1</i>
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <i>Karl Rhoads</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one measure per Record of Votes