



STATE OF HAWAII
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LATE

April 3, 2018

To: The Honorable Donovan M. Dela Cruz, Chair,
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
and members of the Senate Committee on Ways and Means

Date: Wednesday, April 4, 2018
Time: 10:30 a.m.
Place: Conference Room 211, State Capitol

From: Leonard Hoshijo, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. No. 1647 HD2 RELATING TO HEATHLH

I. OVERVIEW OF PROPOSED LEGISLATION

This proposal seeks to add a new section to chapter 346, Hawaii Revised Statutes (HRS), requiring the Department of Human Services (DHS) to compile information regarding employers with employees who receive public assistance. It requires DLIR to assist the DHS in the form of sharing employment data to achieve this purpose.

The Directors of DHS and DLIR discussed the capability of matching data, which can be done through an MOU. DLIR defers to DHS on this measure and estimates that it would need \$50,000 to accomplish its responsibility in the measure.

II. CURRENT LAW

The current law does not require DHS access to UI data as proposed in this measure.

III. COMMENTS ON THE HOUSE BILL

DLIR supports the intent of this bill and is willing to work with DHS to determine how the legislative purpose can be achieved within the statutory disclosure provisions contained in Chapter 383, HRS and within cost or resource restrictions.

The U.S. Department of Labor (U.S.DOL) has long interpreted methods of administration to require the confidentiality of UI information and to follow the

congressional mandate that UI information be used only for the purpose for which it is directed. According to HRS §383-95 and HAR §12-5-211 to §12-5-220, disclosure of information from workers, employers, or other persons or groups in the course of administering the state employment security program shall be held confidential and shall not be disclosed unless authorized requesting agencies have entered into a written agreement with the department.

Should this proposal be enacted, an information sharing agreement with DHS would be required to satisfy its limited purposes. As a condition for the data exchange, DHS would have to provide relevant recipients' personal identifying information to crossmatch against the DLIR-UI employer and wage records. All expenses associated with providing the data must be reimbursed by the requesting agency in accordance to federal requirements.