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# A BILL FOR AN ACT

RELATING TO HEALTH.

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

1           SECTION 1. This Act shall be known and may be cited as the  
2 "Fair Share Health Care Disclosure Act".

3           SECTION 2. The legislature finds that public assistance  
4 programs are essential to ensuring that all residents have  
5 access to healthy food, quality health insurance, basic needs,  
6 cash assistance, child care, and income supports. These  
7 programs have helped millions of individuals to rise out of  
8 poverty.

9           The legislature further finds that some employers have  
10 abused public assistance programs by providing their employees  
11 with low wages and poor benefits with the intention or  
12 expectation that the employees will enroll in public assistance  
13 programs to subsidize their income. Nationwide, this business  
14 strategy costs taxpayers billions of dollars per year and puts  
15 responsible businesses at a competitive disadvantage. For  
16 example, more than sixty per cent of enrollees in medicaid and



1 the children's health insurance program are members of working  
2 families.

3 The legislature believes that large, profitable employers  
4 should pay wages and benefits that do not impoverish workers or  
5 shift costs to taxpayers.

6 The purpose of this Act is to require the department of  
7 human services to compile data and identify employers that have  
8 numerous employees enrolled in public assistance programs so  
9 that the legislature and other policy makers will have a deeper  
10 understanding of the causes and sources of underemployment,  
11 poverty wages, and the economic impacts on society, business,  
12 and the state budget.

13 SECTION 3. Chapter 346, Hawaii Revised Statutes, is  
14 amended by adding a new section to part I to be appropriately  
15 designated and to read as follows:

16 **"§346- Fair share health care disclosure; report. (a)**

17 The department shall compile data regarding employers having  
18 employees who receive public assistance, including benefits  
19 under the state medicaid program and other services or other  
20 benefits administered by the department, by reviewing employment  
21 information submitted to the department by recipients. The



1 department shall submit a report to the legislature no later  
2 than twenty days prior to the convening of each regular session  
3 identifying the fifty employers having the highest number of  
4 employees who were recipients during the previous fiscal year.

5 (b) For each of the fifty employers, the report shall also  
6 include the:

- 7 (1) Employer's address;  
8 (2) Number of full-time and part-time employees during the  
9 previous year;  
10 (3) Number of recipients employed by the employer during  
11 the previous fiscal year;  
12 (4) Number of recipients who were a spouse or dependent of  
13 an employee;  
14 (5) Cost to the state of providing public assistance to  
15 the employees, spouses of employees, and dependents of  
16 employees, if available; and  
17 (6) Number of employees who were also recipients and were  
18 eligible to receive employer-provided health benefits  
19 in excess of the minimum requirements established by  
20 chapter 393.



1        (c) The report shall not include the names or other  
2 personally identifiable information of any employees, spouses of  
3 employees, or dependents of employees and shall be subject to  
4 the privacy standards established pursuant the Health Insurance  
5 Portability and Accountability Act of 1996, Public Law 104-191,  
6 and its related regulations, as may be amended.

7        (d) The department of labor and industrial relations shall  
8 assist the department in complying with this section, including  
9 sharing employment data.

10       (e) As used in this section, "recipients" means employees  
11 who receive public assistance as described in subsection (a)."

12       SECTION 4. New statutory material is underscored.

13       SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:  \_\_\_\_\_  
JAN 18 2019



# H.B. NO. 284

**Report Title:**

DHS; DLIR; Public Assistance; Employer; Employee; Report

**Description:**

Requires the Department of Human Services to compile information regarding employers with employees who receive public assistance. Requires the Department of Human Services to submit an annual report to the Legislature on the 50 employers with the highest number of employees receiving public assistance. Requires the Department of Labor and Industrial Relations to share employment data for the report.

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

