

HOUSE OF REPRESENTATIVES  
THE THIRTY-SECOND LEGISLATURE  
INTERIM OF 2023

COMMITTEE ON LABOR & GOVERNMENT OPERATIONS

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Rep. Andrew Takuya Garrett, Vice Chair

Rep. Jeanne Kapela            Rep. Adrian K. Tam  
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Rep. Jackson D. Sayama

NOTICE OF INFORMATIONAL BRIEFING

DATE:        Tuesday, December 5, 2023  
TIME:        10:00 AM – 12:00 PM  
PLACE:       Conference Room 309  
                 Via Videoconference

A live stream link of this meeting will be available online shortly before the scheduled start time.

Click [here](#) for the live stream of this meeting via YouTube.

A G E N D A

When a worker gets injured on the job in Hawaii, by law their medical expenses are covered by workers' compensation. Claims are typically either accepted or denied as falling under workers' compensation. If denied, by law the individual's private health insurance must provide coverage (HRS §386-21.1, HAR §12-12-45). Under certain circumstances, a claim for coverage under workers' compensation is "denied, pending investigation." If a claim is later determined to be covered under workers' compensation, the private health insurance company is reimbursed by the workers' compensation insurance company or employer and the individual is reimbursed any copays.

Nearly all health insurance carriers recognize "denied, pending investigation" as a denial and provide medical coverage for their members until the investigation is resolved. However, there are some private insurers that are the exception to this, denying coverage to its members if a claim is "denied, pending investigation." This leaves the member without medical coverage under both workers' compensation and under their private insurance carrier.

This gap in coverage prevents injured workers from receiving immediate medical care. Not only does this exacerbate the current labor shortage, but it can also cause the injured person further injury, lengthen recovery time, and discourage them from reentering the workforce.

The purpose of this briefing is to hear from insurance carriers and workers' compensation medical providers about the impact of these insurance carriers' interpretation on its members, the workforce, and medical professionals.

No public testimony will be accepted.

If you require special assistance or auxiliary aids and/or services to participate in the informational briefing (i.e., sign language interpreter or wheelchair accessibility), please contact the Committee Clerk at (808) 586-8470 or email your request for an interpreter to [HouseInterpreter@Capitol.hawaii.gov](mailto:HouseInterpreter@Capitol.hawaii.gov) at least 24 hours prior to the hearing for arrangements. Prompt requests help to ensure the availability of qualified individuals and appropriate accommodations.



For further information, please call the Committee Clerk at **(808) 586-8470**.

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Rep. Scot Z. Matayoshi  
Chair

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Rep. Scott K. Saiki  
Speaker of the House

