

ACT 205

H.B. NO. 757

A Bill for an Act Relating to Temporary Disability Insurance.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 392-27, Hawaii Revised Statutes, is amended to read:

“**§392-27 Ineligibility in certain cases.** An individual shall not be eligible to receive temporary disability benefits:

- (1) For any period of disability during which [he] the individual would be disqualified from receiving benefits under the Hawaii Employment

Security Law by reason of unemployment due to a stoppage of work existing because of a labor dispute for the duration of such disqualification.

- (2) If the director finds that the individual has knowingly made a false statement or representation of a fact or knowingly failed to disclose a material fact in order to obtain benefits under this chapter to which [he] the individual is not otherwise entitled. The ineligibility shall be for a period determined by the director, but shall not exceed the period of disability with respect to which the false statement or representation was made or the nondisclosure occurred.
- (3) For any period of disability due to wilfully and intentionally self-inflicted injury or to injury sustained in the commission of a criminal offense specified in title [[37[]].
- (4) For any day of disability during which the employee performed work for remuneration or profit, except that, if an employee returning to work suffers a relapse after performing work for less than a full day, [he] the employee shall be paid benefits or be given waiting period credit, provided [his] the employee's wages for¹ partial day's work did not equal or exceed the prorated disability benefits to which [he] the employee is entitled. The amount of the benefit payable is derived by subtracting the gross wages received for performing less than a full day's work, from the prorated disability benefits to which [he] the employee is entitled.
- (5) Unless the claim for disability benefits is filed within ninety days after the commencement of the period of disability or as soon thereafter as is reasonably possible."

SECTION 2. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved June 7, 1983.)

Note

1. Prior to amendment "the" appeared there.