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# HOUSE CONCURRENT RESOLUTION

REQUESTING A STUDY OF THE WORKERS' COMPENSATION SYSTEM OF THE  
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT AND DEPARTMENT OF  
EDUCATION.

1           WHEREAS, the State has long adhered to the public policy  
2 that it is in the best interests of our citizenry to protect  
3 employees when they are ill or injured; and  
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5           WHEREAS, wage replacement programs such as the Workers'  
6 Compensation Law and the Temporary Disability Insurance Law were  
7 enacted specifically because the Legislature acknowledged the  
8 importance of making employees "whole" during times of illness  
9 and injury, not only for the benefit of the worker, but also for  
10 the stability of businesses and our economy, and the health and  
11 welfare of our people; and  
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13           WHEREAS, Hawaii's workers' compensation law was established  
14 to provide benefits in a prompt and accurate manner to employees  
15 who sustain a work-related injury or illness; and  
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17           WHEREAS, the Department of Labor and Industrial Relations  
18 (DLIR), through its Disability Compensation Division (Division),  
19 has the overall responsibility of administering the workers'  
20 compensation law, including the supervision and execution of  
21 prompt and accurate compensation payments; and  
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23           WHEREAS, for injured employees to recover from their work-  
24 related injuries and get back to work in a timely manner, the  
25 processing of workers' compensation claims must be completed as  
26 expeditiously as possible; and  
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28           WHEREAS, over the years, numerous concerns have been raised  
29 over the administration of workers' compensation claims by  
30 employers, employees, insurers, and healthcare providers; and



1 WHEREAS, a backlog of open workers' compensation cases has  
2 delayed the processing of claims and the rendering of decisions  
3 by the Division, prompting DLIR to try to streamline its process  
4 and make the filing of claims and dispensing of cases more  
5 efficient; and

6  
7 WHEREAS, the healthcare community has also raised concerns  
8 about the difficulty of providing healthcare in workers'  
9 compensation cases due to low reimbursement rates; and

10  
11 WHEREAS, the State of Hawaii, especially the Department of  
12 Human Resources Development (DHRD) and Department of Education  
13 (DOE), employs thousands of individuals, a certain percentage of  
14 whom will experience workplace injuries; and

15  
16 WHEREAS, questions have been raised about issues and  
17 problems arising from the methods used to deal with workers'  
18 compensation cases involving government employees and as to  
19 whether there is any significant difference in the issues and  
20 problems as they affect private sector employees; now,  
21 therefore,

22  
23 BE IT RESOLVED by the House of Representatives of the  
24 Twenty-fourth Legislature of the State of Hawaii, Regular  
25 Session of 2007, the Senate concurring, that the Legislative  
26 Auditor (Auditor) is requested to study the workers'  
27 compensation system in Hawaii to determine if any problems exist  
28 within the current system; and

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30 BE IT FURTHER RESOLVED that the Auditor is requested to  
31 also study the workers' compensation system as it relates to  
32 state employees under the jurisdiction of DHRD and DOE, and  
33 identify any problems or issues that may exist within these  
34 systems; and

35  
36 BE IT FURTHER RESOLVED that the Auditor is requested to  
37 determine if any differences exist between:

- 38  
39 (1) The workers' compensation system afforded to  
40 government employees and employers, and the workers'  
41 compensation system used by private sector employees  
42 and employers; and



- 1 (2) Costs associated with the workers' compensation system
- 2 afforded to government employees and employers, and
- 3 the workers' compensation system used by private
- 4 sector employees and employers; and
- 5
- 6 (3) Employers who are self-insured and employers who
- 7 purchase workers' compensation insurance;
- 8
- 9 and

10  
 11 BE IT FURTHER RESOLVED that the Auditor submit a report of  
 12 its findings and recommendations to the Legislature no later  
 13 than 20 days prior to the convening of the Regular Session of  
 14 2008; and

15  
 16 BE IT FURTHER RESOLVED that certified copies of this  
 17 Concurrent Resolution be transmitted to the Legislative Auditor,  
 18 Director of Human Resources and Development, and Superintendent  
 19 of Education.

OFFERED BY:

*Colleen May*  
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MAR 14 2007

*[Signature]*

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