

JAN 25 2017

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# A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

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

1           SECTION 1. Act 188, Session Laws of Hawaii 2016, is  
2 amended by amending section 2 to read as follows:

3           "SECTION 2. (a) The auditor shall contract with [~~an~~  
4 ~~actuarial-firm]~~ a suitable entity that has experience conducting  
5 workers' compensation closed claims studies in the United States  
6 to perform a study of:

7           (1) Closed claims in the private employment sector in the  
8 State; [~~and]~~

9           (2) Closed claims involving state employees, including  
10 those employed by the department of human resources  
11 development, the department of education, and the  
12 University of Hawaii system[~~-~~]; and

13           (3) The processing time for closed claims.

14           (b) Of the total cost of the study, a portion equal to the  
15 appropriation provided for in section 3 of this Act shall be  
16 paid for by an assessment to the workers' compensation insurers,  
17 workers' compensation captive insurers, and workers'



1 compensation self-insureds in the State to be determined  
2 according to market share of premiums or, in the case of  
3 workers' compensation self-insureds, using the current basis to  
4 determine special compensation fund assessments.

5 (c) The auditor shall require the study to be completed by  
6 November 30, [~~2017~~] 2018, and the study shall be submitted to  
7 the legislature no later than twenty days prior to the convening  
8 of the regular session of [~~2018~~] 2019.

9 (d) Prior to contracting with an actuarial firm to perform  
10 the study required by this Act, the auditor shall consult and  
11 confer with two members of the legislature, one member selected  
12 by the president of the senate and one selected by the speaker  
13 of the house of representatives. The two members shall ensure  
14 that the actuarial firm selected and parameters of the study are  
15 not biased and do not have an appearance of bias toward any of  
16 the numerous stakeholders in the workers' compensation system,  
17 including the department of labor and industrial relations,  
18 department of human resources development, insurers, attorneys  
19 representing employers and employees, mutual benefit societies,  
20 health maintenance organizations, and health care providers."



1 SECTION 2. There is appropriated out of the general  
 2 revenues of the State of Hawaii the sum of \$150,000 or so much  
 3 thereof as may be necessary for fiscal year 2017-2018 and the  
 4 same sum or so much thereof as may be necessary for fiscal year  
 5 2018-2019 for the auditor to contract with a suitable entity to  
 6 produce a study of closed claims in the State's workers'  
 7 compensation system as provided for in this Act; provided that  
 8 no moneys shall be released unless matched dollar-for-dollar by  
 9 the fees assessed pursuant to section 2(b) of Act 188, Session  
 10 Laws of Hawaii 2016.

11 The sums appropriated shall be expended by the auditor for  
 12 the purposes of this Act.

13 SECTION 3. Statutory material to be repealed is bracketed  
 14 and stricken. New statutory material is underscored.

15 SECTION 4. This Act shall take effect on July 1, 2017.

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INTRODUCED BY: J. Keolu Egels

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 Haskins  
 Randy H. Beck

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 Long



# S.B. NO. 1236

**Report Title:**

Workers' Compensation; Closed Claims; Study; Appropriation

**Description:**

Stipulates that the auditor will contract with a suitable entity to conduct of study of closed claims in the workers' compensation system, that includes the study of processing time for closed claims. Extends the deadline for the study to 11/30/2018 and the deadline for the legislative report to twenty days prior to the regular session of 2019. Makes an appropriation for the study.

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

