#### A BILL FOR AN ACT

RELATING TO FAMILY LEAVE.

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

SECTION 1. The legislature finds that routine medical care
is crucial to the health of Hawaii's keiki. For this reason,
parents should be encouraged to take their children to the
doctor, particularly for regular or routine visits, and should
be supported when they do.

6 Under current law, however, parents generally do not 7 qualify to use sick leave to take a child to receive medical 8 care unless the child is gravely ill. Hawaii's chapter 398 and 9 the federal Family and Medical Leave Act of 1993 both require a child to have a "serious health condition" before the need to 10 11 care for that child becomes a qualifying reason for a parent to 12 use sick leave. The legislature finds that the health of 13 Hawaii's keiki would benefit from more routine medical care visits if this restriction were lifted. 14

15 Studies have shown that the existing system causes many 16 parents to take a child with a mild illness to urgent care or 17 emergency room care instead of a pediatrician. Parents often



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1 choose urgent or emergency care in such situations due to their inability to take sick leave from work, as such facilities tend 2 3 to have extended hours. This practice is expensive and 4 inefficient, and leads to increased health care costs, longer 5 waits in the ER, and poor outcomes. In addition, parents are 6 urged to bring their children to Well-Child visits at regular 7 intervals for routine checks and immunizations to prevent 8 diseases from developing or worsening. But children up to the 9 age of 18 are unable to give consent for their medical 10 treatment, and require the accompaniment of a parent or legal guardian to receive healthcare. For these reasons, the 11 12 legislature finds that family leave for child medical care must 13 be expanded to accommodate a healthy community.

14 The legislature further finds, however, that the basic 15 structure of family leave policy should not otherwise be 16 altered. Small businesses that are exempt from sick leave 17 requirements under current law and that choose not to 18 voluntarily offer sick leave should not be forced into a 19 different choice. If they were, many existing small businesses 20 would not be able afford the cost of compliance. On the other



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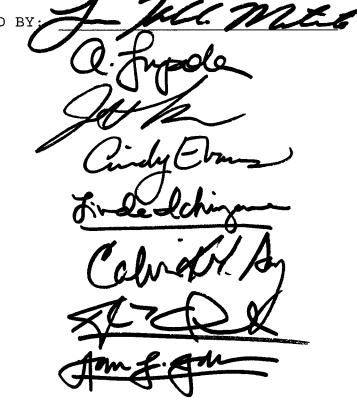
1 hand, a child in need of routine medical care or suffering from 2 a mild illness can create a socioeconomic emergency for parents. 3 The purpose of this Act is to add routine medical care for 4 a child as a qualifying reason for a parent to use employer-5 provided sick leave under chapter 398. 6 SECTION 2. Section 398-1, Hawaii Revised Statutes, is 7 amended by adding one definition to be appropriately inserted and to read as follows: 8 9 ""Routine medical care" means any type of medical care 10 sought from a health care provider or other medical 11 professional, regardless of the seriousness of the health 12 condition being treated, and including but not limited to 13 preventative care." 14 SECTION 3. Section 398-3, Hawaii Revised Statutes, is 15 amended by amending subsection (a) to read as follows: 16 "(a) An employee shall be entitled to a total of four 17 weeks of family leave during any calendar year: 18 Upon the birth of a child of the employee or the (1) 19 adoption of a child; [or]



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1	(2) To care for the employee's child, spouse, reciprocal
2	beneficiary, sibling, or parent with a serious health
3	condition [-]; or
4	(3) To provide a child with routine medical care."
5	SECTION 4. Statutory material to be repealed is bracketed
6	and stricken. New statutory material is underscored.
7	SECTION 5. This Act shall take effect on July 1, 2018.
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	INTRODUCED BY:



JAN 2 2 2018



Report Title: Family Leave; Sick Leave; Children; Medical Care

**Description:** Adds routine medical care for a child as a qualifying reason for parents to use family leave under chapter 398.

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