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## HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS TO PROVIDE AND PRODUCE UPDATED ACTUARIAL STUDIES REGARDING THE LIFESPAN PROBABILITIES OF SURVIVING DEPENDENT BENEFICIARIES FOR THE PURPOSE OF APPLYING HAWAII'S WORKERS' COMPENSATION LAW.

1 WHEREAS, the purpose of the workers' compensation law is to  
2 compensate workers and their dependents fairly and equitably in  
3 the event of work-related disability or death; and

4  
5 WHEREAS, chapter 386, Hawaii Revised Statutes (HRS)  
6 establishes Hawaii's workers' compensation law; and

7  
8 WHEREAS, section 386-41, HRS, makes distinctions among  
9 dependent surviving spouses, dependent surviving children,  
10 dependent surviving parents, and dependent surviving  
11 grandparents of deceased lawfully covered employees for purposes  
12 of calculating various weekly benefit amounts; and

13  
14 WHEREAS, section 386-41, HRS, also makes a distinction  
15 between wholly dependent and partially dependent parents for  
16 purposes of calculating weekly benefit amounts; and

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18 WHEREAS, the Department of Labor and Industrial Relations  
19 is tasked with implementing chapter 386, HRS, including section  
20 386-41 thereof; and

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22 WHEREAS, the Department of Labor and Industrial Relations  
23 customarily conducts an administrative hearing to determine in  
24 certain cases whether a surviving beneficiary was wholly or  
25 partially dependent on the deceased employee; and

26  
27 WHEREAS, according to its oral testimony before the Senate  
28 Committee on Labor and Technology concerning Senate Bill  
29 No. 1115 (2023) on February 15, 2023, the Department of Labor  
30 and Industrial Relations asserted that it continues to base its  
31 calculations for different generations of surviving  
32 beneficiaries using an actuarial table created in 1963; and  
33



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1 WHEREAS, longevity and generational dependency trends may  
2 well have changed significantly over the course of sixty years,  
3 resulting in unreasonable and unfair distribution of benefits by  
4 current parameters; now, therefore,  
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6 BE IT RESOLVED by the House of Representatives of the  
7 Thirty-second Legislature of the State of Hawaii, Regular  
8 Session of 2023, that the Department of Labor and Industrial  
9 Relations is requested to research current actuarial data and  
10 population studies for the purpose of creating updated materials  
11 for assessing appropriate benefit amounts for dependent  
12 surviving spouses, dependent surviving children, dependent  
13 surviving parents, and dependent surviving grandparents, as well  
14 as establishing updated standards for distinguishing wholly  
15 dependent beneficiaries from partially dependent beneficiaries;  
16 and  
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18 BE IT FURTHER RESOLVED that the Department of Labor and  
19 Industrial Relations is requested to deliver to the President of  
20 the Senate and the Speaker of the House of Representatives, the  
21 Chairperson of the Senate Committee on Labor and Technology, and  
22 the Chairperson of the House Committee on Labor and Operations a  
23 report summarizing the results of its research, along with  
24 recommendations for revising the differing amounts of weekly  
25 benefits to surviving beneficiaries based on relationship status  
26 and degree of dependency, if any, and further suggest necessary  
27 legislation for implementation of any necessary adjustments; and  
28

29 BE IT FURTHER RESOLVED that the requested report be  
30 delivered to the aforementioned persons no later than thirty  
31 days prior to the convening of the Regular Session of 2024; and  
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33 BE IT FURTHER RESOLVED that a certified copy of this  
34 Resolution be transmitted to the Director of Labor and  
35 Industrial Relations.  
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OFFERED BY:



MAR 09 2023

