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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.

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

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

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

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

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

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

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

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WHEREAS, longevity and generational dependency trends may well have changed significantly over the course of sixty years, resulting in unreasonable and unfair distribution of benefits by current parameters; now, therefore,

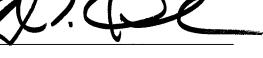
BE IT RESOLVED by the House of Representatives of the Thirty-second Legislature of the State of Hawaii, Regular Session of 2023, that the Department of Labor and Industrial Relations is requested to research current actuarial data and population studies for the purpose of creating updated materials for assessing appropriate benefit amounts for dependent surviving spouses, dependent surviving children, dependent surviving parents, and dependent surviving grandparents, as well as establishing updated standards for distinguishing wholly dependent beneficiaries from partially dependent beneficiaries; and

BE IT FURTHER RESOLVED that the Department of Labor and Industrial Relations is requested to deliver to the President of the Senate and the Speaker of the House of Representatives, the Chairperson of the Senate Committee on Labor and Technology, and the Chairperson of the House Committee on Labor and Operations a report summarizing the results of its research, along with recommendations for revising the differing amounts of weekly benefits to surviving beneficiaries based on relationship status and degree of dependency, if any, and further suggest necessary legislation for implementation of any necessary adjustments; and

BE IT FURTHER RESOLVED that the requested report be delivered to the aforementioned persons no later than thirty days prior to the convening of the Regular Session of 2024; and

BE IT FURTHER RESOLVED that a certified copy of this Resolution be transmitted to the Director of Labor and Industrial Relations.

OFFERED BY:



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