

STAND. COM. REP. NO. 1595

Honolulu, Hawaii

APR 04 2023

RE: H.B. No. 1409  
H.D. 2  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 1409, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO EMPLOYEE BENEFITS,"

begs leave to report as follows:

The purpose and intent of this measure is to enhance family leave protections.

Specifically, the measure:

- (1) Extends, under certain conditions, the family leave period for up to eight weeks for employees who are unable to perform their employment duties due to the birth of a child who is required to stay in a neonatal intensive care unit; and
- (2) Requires the amendment of certain administrative rules to ensure that neonatal care is included as a "related medical condition" wherever the phrase "pregnancy, childbirth, or related medical condition" is used.

Your Committee received written comments in support of this measure from the Department of Labor and Industrial Relations, Hawaii Children's Action Network Speaks!, and three individuals.



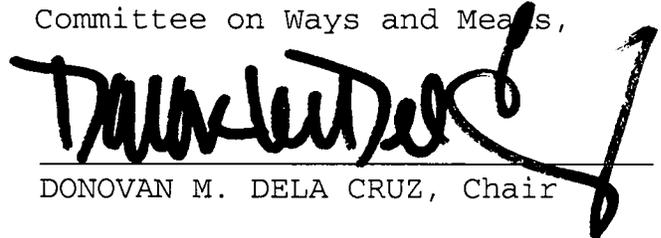
Your Committee finds that babies born prematurely need extended time in neonatal intensive care units (NICU). Accordingly, your Committee also finds that extending the family leave period for parents of those babies, as proposed by this measure, will allow those parents to spend additional time at the NICU to support the babies' care.

Your Committee has amended this measure by:

- (1) Correcting the text of section 398-4, Hawaii Revised Statutes, to accurately reflect the printed version of the statute; and
- (2) Clarifying that it is the administrative rules of the Civil Rights Commission, rather than the Department of Health, that must be amended to ensure that neonatal care is included as a "related medical condition" wherever the phrase "pregnancy, childbirth, or related medical condition" or any similar phrase is used.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1409, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1409, H.D. 2, S.D. 2.

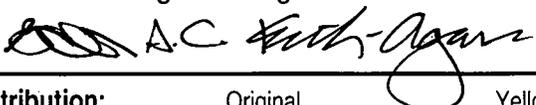
Respectfully submitted on  
behalf of the members of the  
Committee on Ways and Means,

  
DONOVAN M. DELA CRUZ, Chair



The Senate  
Thirty-Second Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>HB 1409 HD2 SD1</b>	Committee Referral: <b>LBT/HHS, WAM</b>	Date: <b>3/31/23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
AQUINO, Henry J.C.	X			
DECOITE, Lynn	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
MORIWAKI, Sharon Y.	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
FEVELLA, Kurt	X			
<b>TOTAL</b>	<b>13</b>			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes