

ACT 83

H.B. NO. 1538

A Bill for an Act Relating to the Temporary Disability Insurance Law.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 392-21, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) It is the policy of this chapter that the computation and distribution of benefit payments shall correspond to the greatest extent feasible, to the employee’s wage loss due to the employee’s disability; that an employee shall not be entitled to temporary disability benefits for periods of disability during which the employee would not have earned wages from employment according to the schedule of operations of the employee’s employer, and that an employee is entitled to benefits only for periods of disability during which, but for the disability, the employee would have earned wages from employment. This policy, however, shall not be applied to terminate the benefits of an employee who is receiving benefits under this chapter for a disability that commenced while the employee was in current employment, nor shall it be applied to deny benefits under this chapter if a disability that commenced while the employee was in current employment continues into a period during which the employee would earn wages but for the disability.”

SECTION 2. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved April 30, 1991.)