



hughey2000@aol.com  
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To testimony\_boe@notes.k12.hi.us  
cc  
Subject Re: V. \*Public Testimony on Board  
Agenda Items

State of Hawaii Board of Education  
Tuesday, November 21, 2017  
General Business Meeting  
Justin Hughey  
King Kamehameha III Elementary  
Special Education Teacher

Re: V. \*Public Testimony on Board Agenda Items

Aloha Chair Mizumoto, Vice-Chair De Lima, and Members of the Hawaii State Board of Education:

My name is Justin Hughey, a teacher at King Kamehameha III School. I have been a teacher for 11 years.

**Problem:** Department of Education is not paying for workman's comp services in accordance with the law. I am asking the board to put this on the agenda at the next meeting.

The Board of Education has policies E-500 and E-900 that state the DOE needs to follow all state laws. The workman's comp law states that they need to pay for therapy within 60 days or give a disagreement. From my experiences, there is a pattern in practice of not paying or giving a disagreement, and the problem is systemic.

I was injured on the job in August 2016, bulging disc. When this happened the pain was extremely severe and the process was agonizing. Unbeknown to me I was denied services at Wailea Medical and Wailuku Maui Medical. I was in so much pain that I found myself in the emergency room. Finally I was offered services by a chiropractor.

Every therapist I have talked has nothing positive to say about working with the Department of Education. It is so bad multiple therapists feel the DOE makes it as difficult as possible so therapists don't want to take on any workman's comp cases.

I was offered physical therapy from Therapeutic Associates last December 2016, January, February and March of 2017. I informed them they were not being paid and once they found out they were not receiving payment after 120 days, they canceled my therapy. I didn't take it personal, I would too.

Chiropractor Rick Anderson has yet to be billed for a number of visits. The one I was shocked by was for his acupuncture therapist who saw me between 11/12/16 to 5/11/17 and has yet to receive a dime of the 2,213.40 owed to her.

Currently Physical Therapy Wellness Center has billed the Department of Education for treatment from 8-7-17 to 11-17-17 and has yet to receive a dime.

Treatment plans are rendered every 30 days. They are suppose to show progress, less therapy over time and a guess as to when you will be able to be good enough to go back to work. If the DOE refuses to pay businesses can file a financial dispute claim with the Department of Labor, I talked to them and they informed me it takes about 3 months to resolve a lack of payment issue. Actions speak louder than words. I feel the DOE knows they can not pay services and thus end treatment earlier than expected. Since this happened to all my therapists and since the DOE saved money doing so, it feels like there is obvious intent by the department.

Last spring I had a lot of conversations with therapists that I may never be able to teach again. I was informed I could be on permanent disability. I have serious concerns about the ethics of not paying for therapy to save money. My life, my future was at risk from the Department not paying their bills on time. I don't know about you, but I can't get away with not paying my bills. This is gross negligence and it has life changing consequences.

Can you put this on your agenda at the December 5th meeting? It was mentioned at a previous Board of Education meeting that there are a lot of workman's comp cases. Please exercise oversight and ensure teachers and therapists that you are committed to making sure the Department of Education is following the law.

Respectfully,  
Justin Hughey

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## KAMEHAMEHA SCHOOLS®

Date: November 21, 2017  
To: Board of Education, General Business Meeting  
When: 1:30 p.m.  
Testifier: Wai‘ale‘ale Sarsona  
Agenda Item: B. Update on Department of Education fiscal reports as of September 30, 2017  
(Comparison to Budget, School Food Service, Student Transportation, Utilities, Impact Aid receipts, and CIP)

Aloha! My name is Wai‘ale‘ale Sarsona and I serve as the Managing Director of the Kūamahi Community Education Division of Kamehameha Schools. Our Strategic plan guides us to contribute to the communities’ collective efforts to improve Hawai‘i’s education systems for Native Hawaiian learners.

Mahalo for the opportunity to testify. We ask that the committee consider this proposal as an opportunity to also open a dialogue around the transportation needs of Kula Kaiapuni students and families. Kula Kaiapuni is available in very limited areas across the state. Many families who desire Kula Kaiapuni must travel outside their community. Until such time that Kula Kaiapuni expands through equitable resourcing and support, we foresee transportation as a continual burden to many Kula Kaiapuni students and families.

Founded in 1887, Kamehameha Schools is an organization striving to advance a thriving Lāhui where all Native Hawaiians are successful, grounded in traditional values, and leading in the local and global communities. We believe that community success is individual success, Hawaiian culture-based education leads to academic success and local leadership drives global leadership.

‘A‘ohe hana nui ke alu ‘ia. No task is too large when we all work together! Mahalo nui.