

1 **ARTICLE 16**

2 RELATING TO MAKING IT EASIER TO DO BUSINESS IN RHODE ISLAND

3 SECTION 1. Section 28-43-8 of the General Laws in Chapter 28-43 entitled
4 “Employment Security – Contributions” is hereby amended to read as follows:

5 **§ 28-43-8. Experience rates – Tables.** – (a)(1) Whenever, as of September 30, ~~1987~~
6 2016, or any subsequent computation date, the amount in the employment security fund available
7 for benefits is six and four tenths percent (6.4%) or more of total payrolls as determined in § 28-
8 43-1(9), an experience rate for each eligible employer for the immediately following calendar
9 year shall be determined in accordance with schedule A in this subsection.

10 (2) Whenever, as of September 30, ~~1987~~ 2016, or any subsequent computation date, the
11 amount in the employment security fund available for benefits is ~~six and one-tenth percent (6.1%)~~
12 five and five-tenths percent (5.5%) but less than six and four-tenths (6.4%) of total payrolls as
13 determined in § 28-43-1(9), an experience rate for each eligible employer for the immediately
14 following calendar year shall be determined in accordance with schedule B in this subsection.

15 (3) Whenever, as of September 30, ~~1987~~ 2016, or any subsequent computation date the
16 amount in the employment security fund available for benefits is ~~five and eight-tenths percent~~
17 ~~(5.8%)~~ four and seventy-five hundredths percent (4.75%) but less than ~~six and one-tenth (6.1%)~~
18 five and five-tenths percent (5.5%) of total payrolls as determined in § 28-43-1(9), an experience
19 rate for each eligible employer for the immediately following calendar year shall be determined in
20 accordance with schedule C in this subsection.

21 (4) Whenever, as of September 30, ~~1987~~ 2016, or any subsequent computation date the
22 amount in the employment security fund available for benefits is ~~five and three-tenths percent~~
23 ~~(5.3%)~~ four percent (4.0%) but less than ~~five and eight-tenths (5.8%)~~ four and seventy-five
24 hundredths percent (4.75%) of total payrolls as determined in § 28-43-1(9), an experience rate for
25 each eligible employer for the immediately following calendar year shall be determined in
26 accordance with schedule D in this subsection.

27 (5) Whenever, as of September 30, ~~1987~~ 2016, or any subsequent computation date the
28 amount in the employment security fund available for benefits is ~~four and seven-tenths percent~~
29 ~~(4.7%)~~ three and twenty-five hundredths percent (3.25%) but less than ~~five and three-tenths~~
30 ~~(5.3%)~~ four percent (4.0%) of total payrolls as determined in § 28-43-1(9), an experience rate for

1 each eligible employer for the immediately following calendar year shall be determined in
2 accordance with schedule E in this subsection.

3 (6) Whenever, as of September 30, ~~1987~~ 2016, or any subsequent computation date the
4 amount in the employment security fund available for benefits is ~~three and six tenths percent~~
5 ~~(3.6%)~~ two and five tenths percent (2.5%) but less than ~~four and seven tenths (4.7%)~~ three and
6 twenty-five hundredths percent (3.25%) of total payrolls as determined in § 28-43-1(9), an
7 experience rate for each eligible employer for the immediately following calendar year shall be
8 determined in accordance with schedule F in this subsection.

9 (7) Whenever, as of September 30, ~~1987~~ 2016, or any subsequent computation date the
10 amount in the employment security fund available for benefits is ~~three percent (3%)~~ one and
11 seventy-five hundredths percent (1.75%) but less than ~~three and six tenths (3.6%)~~ two and five-
12 tenths percent (2.5%) of total payrolls as determined in § 28-43-1(9), an experience rate for each
13 eligible employer for the immediately following calendar year shall be determined in accordance
14 with schedule G in this subsection.

15 (8) Whenever, as of September 30, ~~1987~~ 2016, or any subsequent computation date the
16 amount in the employment security fund available for benefits is ~~two and seventy five hundredths~~
17 ~~percent (2.75%)~~ one percent (1.0%) but less than ~~three percent (3%)~~ one and seventy-five
18 hundredths percent (1.75%) of total payrolls as determined in § 28-43-1(9), an experience rate for
19 each eligible employer for the immediately following calendar year shall be determined in
20 accordance with schedule H in this subsection.

21 (9) Whenever, as of September 30, ~~1987~~ 2016, or any subsequent computation date the
22 amount in the employment security fund available for benefits is less than ~~two and seventy five~~
23 ~~hundredths percent (2.75%)~~ one percent (1.0%) of total payrolls as determined in § 28-43-1(9), an
24 experience rate for each eligible employer for the immediately following calendar year shall be
25 determined in accordance with schedule I in this subsection.

26 (See Tax Tables on next page)

27 (10) [Deleted by P.L. 2010, ch. 23, art. 22, § 3].

28 (b) The contribution rate for each employer for a given calendar year shall be determined
29 and the employer notified of it not later than April 1 next succeeding each computation date. That
30 determination shall be binding unless an appeal is taken in accordance with provisions of § 28-
31 43-13.

32 SECTION 2. Chapter 28-39 of the General Laws entitled “Temporary Disability
33 Insurance – General Provisions” is hereby amended by adding thereto the following section:

34 **§ 28-39-41. Task Force.**– (a) There is hereby established a task force on temporary

1 disability insurance fraud and program integrity. The task force shall consist of the following
2 members or their designees:

3 (1) the director of labor and training or designee;

4 (2) the secretary of health and human services or designee;

5 (3) the director of health or designee;

6 (4) the director of office of management and budget or designee; and

7 (5) the attorney general or designee.

8 The director of labor and training shall chair the task force.

9 (b) The task force shall coordinate joint efforts to combat fraud and abuse in the
10 temporary disability insurance program. The task force shall:

11 (1) Foster appropriate use of the program by both claimants and qualified healthcare
12 providers by educating them about the intent of the program, the benefits provided, acceptable
13 use of benefits and applicable requirements;

14 (2) Protect the integrity of the temporary disability insurance fund by performing joint
15 investigations into fraudulent activities; and

16 (3) Employ best practices as established by other insurance programs both public and
17 private to ensure program goals and objectives are aimed at providing efficient and effective
18 services to all customers.

19 (c) Notwithstanding and other law or regulation to the contrary, the task force shall
20 facilitate timely information sharing between and among task force members, including the
21 establishment of protocols by which participating agencies will advise or refer to other agencies
22 matters of potential interest.

23 SECTION 3. Sections 28-41-11 and 28-41-15 of the General Laws in Chapter 28-41
24 entitled "Temporary Disability Insurance – Benefits" are hereby amended to read as follows:

25 **§ 28-41-15. Filing of claims – Restriction on waiting period credit or benefits –**
26 **Copies of law and regulations.** – (a) Benefit claims shall be filed pursuant to prescribed
27 regulations.

28 (b) No individual shall be eligible for ~~waiting period credits or~~ benefits under this title for
29 any week of unemployment due to sickness which occurs more than ~~fifty two (52) weeks~~ ninety
30 (90) days prior to the time when written notice of his or her claim for ~~waiting period credits or~~
31 benefits is mailed or delivered to the department of labor and training or such other agency as the
32 director may designate. Notwithstanding the above, the director may extend the clam filing period
33 up to twenty-six (26) weeks if the individual can show a good medical reason for the delay in
34 filing the claim for benefits. [See Tax Schedules]

1 (c) Each employer shall post and maintain printed statements of subsection (b) of this
2 section and of those regulations, in places readily accessible to individuals in his or her service.
3 Those printed statements shall be supplied by the director to each employer without cost to that
4 employer.

5 (d) Upon the filing of a claim, the director shall promptly mail a notice of the filing of the
6 claim to the claimant's most recent employer and to all employers for whom the claimant states
7 he or she performed services and earned wages during his or her base period. The employers shall
8 promptly furnish the information required to determine the claimant's benefit rights. If the
9 claimant's employer or employers have any information which might affect either the validity of
10 the claim or the right of the claimant to waiting period credit or benefits, the employer shall return
11 the notice with this information. Notwithstanding any inconsistent provisions of chapters 39 – 41
12 of this title, any employer who fails without good cause as established to the satisfaction of the
13 director to return the notice within seven (7) working days of its mailing shall pay a penalty of
14 twenty-five dollars (\$25.00) for each failure. This penalty shall be paid into the temporary
15 disability insurance reserve fund and if any employer fails to pay the penalty, when assessed, it
16 shall be collected by civil action as provided in § 28-40-12.

17 SECTION 4. Section 1 shall take effect upon passage. Sections 2 and 3 shall take effect
18 as of January 1, 2017.

TAX SCHEDULES										
Employer's-Account Reserve Percentage	Schedule A Reserve Ratio of Fund	Schedule B Reserve Ratio of Fund	Schedule C Reserve Ratio of Fund	Schedule D Reserve Ratio of Fund	Schedule E Reserve Ratio of Fund	Schedule F Reserve Ratio of Fund	Schedule G Reserve Ratio of Fund	Schedule H Reserve Ratio of Fund	Schedule I Reserve Ratio of Fund	
under	6.4% or	6.1% but 5.5%	5.8% but 4.75%	5.3% but 4.0%	4.7% but 3.25%	3.6% but 2.5%	3.0% 1.75% but	2.75% 1.0% but	2.75%	
1.0%	more	less than	less than	less than	less than	less than	less than	less than		
Positive Percentages-	0.21	0.4	0.5	0.6	0.7	.09	1.1	1.2	1.2	
21.50 and over	0.21	0.4	0.5	0.6	0.7	0.8	0.9	1.0	1.1	1.2
20.00 to 21.49	0.4	0.5	0.6	0.7	0.8	0.9	1.0	1.1	1.2	1.5
18.50 to 19.99	0.5	0.6	0.7	0.8	0.9	1.1	1.4	1.5	1.5	1.9
17.00 and over to 18.49	0.6	0.7	0.8	0.9	1.0	1.2	1.5	1.7	1.7	1.9 2.1
15.50 to 16.99	0.8	0.9	1.0	1.1	1.3	1.5	1.8	2.1 1.9	2.3 2.4	2.3 2.4
14.00 to 15.49	0.9	1.0	1.2	1.3	1.5	1.7	2.0	2.3 2.1	2.6 2.7	2.6 2.7
12.50 to 13.99	1.1	1.2	1.4	1.5	1.7	2.0	2.3	2.6 2.4	2.9 3.0	2.9 3.0
11.00 to 12.49	1.3	1.4	1.6	1.7	1.9	2.2	2.5	2.8 2.7	3.1 3.3	3.1 3.3
9.50 to 10.99	1.5	1.7	1.8	1.9	2.1	2.4	2.7	3.0 2.9	3.3 3.5	3.3 3.5
8.00 to 9.49	1.7	1.9	2.0	2.2	2.4	2.7	2.9	3.2 3.1	3.5 3.7	3.5 3.7
6.50 to 7.99	1.9	2.1	2.3	2.5	2.6	2.9	3.1	3.4 3.3	3.7 3.9	3.7 3.9
5.00 to 6.49	2.1	2.3	2.5	2.7	2.8	3.1	3.4	3.6	3.9 4.1	3.9 4.1
3.50 to 4.99	2.3	2.5	2.7	2.9	3.0 3.1	3.3	3.7	3.9	4.2 4.3	4.2 4.3
2.00 to 3.49	2.5 2.6	2.7 2.8	2.9 3.0	3.2	3.3 3.5	3.6 3.7	3.9 4.0	4.2	4.5 4.6	4.5 4.6
0.00 to 1.99	2.7 3.0	3.0 3.2	3.2 3.4	3.4 3.5	3.6 3.9	3.9 4.2	4.2 4.4	4.5	4.8 4.9	4.8 4.9
Negative Percentages										
-0.01 to -1.99	3.0 3.3	3.3 3.5	3.5 3.8	3.8 4.2	4.2 4.5	4.5 4.8	4.8 5.0	5.1	5.4 5.5	5.4 5.5
-2.00 to -3.99	3.3 3.5	3.5 3.8	3.8 4.1	4.1 4.5	4.5 4.8	4.8 5.1	5.1 5.3	5.4	5.7 5.8	5.7 5.8
-4.00 to -5.99	3.6 3.8	3.8 4.1	4.1 4.4	4.4 4.8	4.8 5.1	5.1 5.4	5.4 5.7	5.8	6.0 6.1	6.0 6.1
-6.00 to -7.99	3.9 4.1	4.1 4.4	4.4 4.7	4.7 5.1	5.1 5.4	5.4 5.8	5.8 6.1	6.2	6.4 6.5	6.4 6.5
-8.00 to -9.99	4.2 4.4	4.4 4.7	4.7 5.0	5.0 5.4	5.4 5.8	5.8 6.2	6.2 6.5	6.6	6.8 6.9	6.8 6.9
-10.00 to -11.99	4.5 4.7	4.7 5.0	5.0 5.4	5.4 5.8	5.8 6.2	6.2 6.6	6.6 6.9	7.0	7.2 7.3	7.2 7.3
-12.00 to -13.99	4.8 5.0	5.0 5.4	5.4 5.8	5.8 6.2	6.2 6.6	6.6 7.0	7.0 7.3	7.4	7.6 7.7	7.6 7.7
-14.00 to -15.99	5.1 5.4	5.4 5.8	5.8 6.2	6.2 6.6	6.6 7.0	7.0 7.4	7.4 7.7	7.8	8.0 8.1	8.0 8.1
-16.00 to -17.99	5.4 5.8	5.8 6.2	6.2 6.6	6.6 7.0	7.0 7.4	7.4 7.8	7.8 8.1	8.2	8.4 8.5	8.4 8.5
-18.00 to -19.99	5.8 6.2	6.2 6.6	6.6 7.0	7.0 7.4	7.4 7.8	7.8 8.2	8.2 8.5	8.6	8.8 8.9	8.8 8.9
-20.00 to -21.99	6.2 6.6	6.6 7.0	7.0 7.4	7.4 7.8	7.8 8.2	8.2 8.6	8.6 8.9	9.0	9.2 9.3	9.2 9.3
-22.00 to -23.99	6.6 7.0	7.0 7.4	7.4 7.8	7.8 8.2	8.2 8.6	8.6 9.0	9.0 9.3	9.9	9.6 8.7	9.6 8.7
-24.00 and over	7.0 7.4	7.4 7.8	7.8 8.2	8.2 8.6	8.6 9.0	9.0 9.4	9.4 9.7	9.8	10.0	10.0