

**ARTICLE 3 AS AMENDED**

RELATING TO MAKING IT EASIER TO DO BUSINESS IN RHODE ISLAND

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

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

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

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

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

(5) Whenever, as of September 30, ~~1987~~ 2016, or any subsequent computation date the amount in the employment security fund available for benefits is ~~four and seven-tenths percent (4.7%)~~ three and twenty-five hundredths percent (3.25%) but less than ~~five and three-tenths (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 Schedules]

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 – Copies**  
26 **of law and regulations.** -- (a) Benefit claims shall be filed pursuant to prescribed regulations.

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

34 (c) Each employer shall post and maintain printed statements of subsection (b) of this

1 section and of those regulations, in places readily accessible to individuals in his or her service.  
2 Those printed statements shall be supplied by the director to each employer without cost to that  
3 employer.

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

16 SECTION 4. Section 1 shall take effect as of September 30, 2016. Sections 2 and 3 shall  
17 take effect as of January 1, 2017.

TAX SCHEDULES

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