

**NOTICE TO ATTORNEYS INTERESTED IN PROVIDING LEGAL SERVICES
REGARDING EMPLOYEE RETIREMENT INCOME SECURITY ACT of 1974 (ERISA)
PREEMPTION AND HAWAII'S PREPAID HEALTH CARE ACT (PHCA) ON BEHALF
OF THE STATE OF HAWAII**

Licensed attorneys who wish to provide highly specialized legal services representing the State of Hawaii as a Special Deputy Attorney General are invited to submit a Statement of Qualifications and Expression of Interest to the Hawaii Attorney General pursuant to Hawaii Revised Statutes section 103D-304.

Highly specialized legal services are sought to support the Department of Labor and Industrial Relations in analyzing Hawaii's Prepaid Health Care Act (PHCA), Chapter 393, HRS, and its relationship to the Employee Retirement Income Security Act of 1974 (ERISA) exemption codified at 29 U.S.C. section 1144(b)(5). The selected attorney will evaluate proposed amendments and policy initiatives, including Paid Family and Medical Leave (PFML) proposals, to determine whether they constitute substantive changes that fall outside Hawaii's narrow federal exemption.

Previous experience with and knowledge of ERISA preemption doctrine, employee benefits law, and federal-state regulatory analysis is essential, as is the capacity to deliver authoritative legal opinions and defensible legal frameworks supporting state legislation and administrative rulemaking.

Completed Statements of Qualifications and Expressions of Interest for ERISA/PHCA (Statement) will be accepted on a rolling basis and will remain open until the list of qualified attorneys is complete. Statements may be either emailed to hawaiiag@hawaii.gov or delivered to 425 Queen Street, Honolulu, Hawai'i, 96813. Please note in the subject line of any email, "ERISA/PHCA Statement of Interest." For deliveries to the office, please address the envelope to Department of the Attorney General, Attn: ERISA/PHCA Statement of Interest.

For more information, please contact Deputy Attorney General, Charles Jung Min Lee via email at Charles.jm.lee@hawaii.gov.

Statement forms are available at: <http://ag.hawaii.gov/employment>.