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# A BILL FOR AN ACT

RELATING TO VOCATIONAL REHABILITATION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 386-25, Hawaii Revised Statutes, is  
2 amended by amending subsection (b) to read as follows:  
3           "(b) The director may refer employees who may have or have  
4 suffered permanent disability as a result of work injuries or  
5 who have otherwise been deemed unable to return to their regular  
6 jobs after the injury may have stabilized, where the employer  
7 has made no offer of permanent suitable work that would restore  
8 the earnings capacity as nearly as possible to that level that  
9 the employee was earning at the time of injury, and who, in the  
10 director's opinion, can be vocationally rehabilitated to the  
11 department of human services or to private providers of  
12 rehabilitation services for vocational rehabilitation services  
13 that are feasible. A referral shall be made upon recommendation  
14 of the rehabilitation unit established under section 386-71.5  
15 and after the employee has been deemed physically able to  
16 participate in rehabilitation by the employee's attending  
17 physician. The unit shall include appropriate professional  
18 staff and shall have the following duties and responsibilities:



- 1 (1) To review and approve rehabilitation plans developed
- 2 by certified providers of rehabilitation services,
- 3 whether they [~~be~~] are private or public;
- 4 (2) To adopt rules consistent with this section that shall
- 5 expedite and facilitate the identification,
- 6 notification, and referral of industrially injured
- 7 employees to rehabilitation services[~~7~~] and establish
- 8 minimum standards for providers providing
- 9 rehabilitation services under this section;
- 10 (3) To certify private and public providers of
- 11 rehabilitation services meeting the minimum standards
- 12 established under paragraph (2); and
- 13 (4) To enforce the implementation of rehabilitation
- 14 plans."

15 SECTION 2. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17 SECTION 3. This Act shall take effect on July 1, 2050.

**Report Title:**

Vocational Rehabilitation

**Description:**

Adds an employee who has otherwise been deemed unable to return to the employee's position after the injury may have stabilized, where no offer for permanent alternative duty at equal compensation is made by the employer, to those whom the director of labor and industrial relations may refer to the department of human services or private vocational rehabilitation services.

(SD2)

