

JAN 25 2006

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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 or who have otherwise been deemed  
5 unable to return to their regular jobs as a result of work  
6 injuries and who, in the director's opinion, can be vocationally  
7 rehabilitated to the department of human services or to private  
8 providers of rehabilitation services for vocational  
9 rehabilitation services that are feasible. A referral shall be  
10 made upon recommendation of the rehabilitation unit established  
11 under section 386-71.5 and after the employee has been deemed  
12 physically able to participate in rehabilitation by the  
13 employee's attending physician. The unit shall include  
14 appropriate professional staff and shall have the following  
15 duties and responsibilities:  
16           (1) To review and approve rehabilitation plans developed  
17 by certified providers of rehabilitation services,  
18 whether they be private or public;



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- 1           (2) To adopt rules consistent with this section that shall
- 2                   expedite and facilitate the identification,
- 3                   notification, and referral of industrially injured
- 4                   employees to rehabilitation services, and establish
- 5                   minimum standards for providers providing
- 6                   rehabilitation services under this section;
- 7           (3) To certify private and public providers of
- 8                   rehabilitation services meeting the minimum standards
- 9                   established under paragraph (2); and
- 10          (4) To enforce the implementation of rehabilitation
- 11                   plans."

12          SECTION 2. New statutory material is underscored.

13          SECTION 3. This Act shall take effect upon its approval.

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**Report Title:**

Workers' Compensation Law; Vocational Rehabilitation

**Description:**

Allows the director to refer employees who have been deemed unable to return to work in their regular jobs as a result of work injury to receive vocational rehabilitation services.

