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# A BILL FOR AN ACT

RELATING TO PROVIDING THE OPPORTUNITY OF LIGHT DUTY WORK TO  
INJURED EMPLOYEES.

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

1 SECTION 1. Section 386-96, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) Any physician, surgeon, or hospital that has given  
4 any treatment or rendered any service to an injured employee  
5 shall make a report of the injury and treatment on forms  
6 prescribed by and to be obtained from the department as follows:

7 (1) Within seven days after the date of first attendance  
8 or service rendered, an initial report shall be made  
9 to the department and to the employer of the injured  
10 employee in the manner prescribed by the department;

11 (2) Interim reports to the same parties and in the same  
12 manner as prescribed in paragraph (1) shall be made at  
13 appropriate intervals to verify the claimant's current  
14 diagnosis and prognosis, that the information as to  
15 the nature of the examinations and treatments  
16 performed is complete, including the dates of those  
17 treatments and the results obtained within the current



1 reporting period, the execution of all tests performed  
2 within the current reporting period and the results of  
3 the tests, whether the injured employee is improving,  
4 worsening, or if "medical stabilization" has been  
5 reached, the dates of disability, any work  
6 restrictions, and the return to work date. If an  
7 injured employee's physician, surgeon, or health care  
8 provider reports that the injured employee is able to  
9 perform light, part-time, or restricted work, the  
10 injured employee's employer shall provide the injured  
11 employee with an opportunity to perform work at the  
12 level prescribed. The opportunity to perform the  
13 light, part-time, or restricted work shall not  
14 preclude an employee from being eligible for  
15 vocational rehabilitation pursuant to section 386-25.  
16 When an injured employee is returned to full-time,  
17 regular, light, part-time, or restricted work, the  
18 attending physician shall submit a report to the  
19 employer within seven calendar days indicating the  
20 date of release to work or medical stabilization; and



1           (3) A final report to the same parties and in the same  
2           manner as prescribed in paragraph (1) shall be made  
3           within seven days after termination of treatment.

4 No physician, surgeon, or hospital that has given any treatment  
5 or rendered any service to an injured employee shall be required  
6 to provide any additional reports not otherwise mandated by this  
7 section."

8           SECTION 2. New statutory material is underscored.

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

**Report Title:**

Workers' Compensation; Return to Work

**Description:**

Requires an employer of an injured employee who is cleared to return to light or reduced duty work to provide that level of work to the injured employee. (SD1)

