
A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

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 they have achieved maximum medical improvement, where
7 the employer has made no offer of suitable work that would
8 restore the earnings capacity as nearly as possible to the level
9 that the employee was earning at the time of injury, and who, in
10 the 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 Statutory material to be repealed is bracketed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, 2008.

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INTRODUCED BY:

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Report Title:

Workers' Compensation; Vocational Rehabilitation

Description:

Expands eligibility for vocational rehabilitation to workers who are deemed unable to return to their regular jobs and are not offered work at the pre-injury earnings level.

