
A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

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

1 SECTION 1. Section 386-3, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) No compensation shall be allowed for ~~an~~ :
4 (1) An injury incurred by an employee by the employee's
5 wilful intention to injure ~~oneself~~ the employee or
6 another by actively engaging in any unprovoked non-
7 work related physical altercation other than in self
8 defense, or by the employee's intoxication~~-~~; or
9 (2) The exacerbation of an existing, work-related injury
10 covered under this chapter through voluntary
11 participation in any recreational or social activity
12 that is not approved by an attending physician and
13 that takes place after regular work hours, including
14 employer-sponsored sporting events, team activities,
15 parties, and picnics. The attending physician shall
16 provide guidelines to a patient regarding approved
17 activities to prevent exacerbation of a work-related
18 injury; provided that failure of the attending



1 physician to provide guidelines shall not be the sole
2 reason for denying compensation under this chapter."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

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

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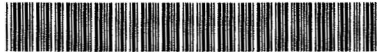
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K. L. K.
J. M. Karaman

INTRODUCED BY:

AT. De

A. C. K. K.
Karen

JAN 23 2009



Report Title:

Workers' Compensation

Description:

Disallows workers' compensation benefits for the exacerbation of injuries sustained during after work, voluntary recreational, or social activities.

