
A BILL FOR AN ACT

RELATING TO VOCATIONAL REHABILITATION IN WORKERS' COMPENSATION
LAW.

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 (e) to read as follows:

3 "(e) A provider shall file the employee's plan with the
4 approval of the employee. Upon receipt of the plan from the
5 provider, an employee shall have ten days to review and sign the
6 plan. The plan shall be submitted to the employer and the
7 employee and be filed with the director within two days from the
8 date of the employee's signature. A plan shall include a
9 statement of the feasibility of the vocational goal, using the
10 process of:

11 (1) First determining if the employee's usual and
12 customary employment represents suitable gainful
13 employment, and, should it not;

14 (2) Next determining if modified work or other work with
15 ~~[a different]~~ the same employer represents suitable
16 gainful employment, and, should it not;



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1 (3) Next determining if modified or other employment with
2 a different employer represents suitable gainful
3 employment, and finally, should it not;

4 (4) Then providing training to obtain employment in
5 another occupational field."

6 SECTION 2. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 3. This Act shall take effect on July 1, 2010.

9

INTRODUCED BY: *T. Sah*

JAN 13 2010

Report Title:

Vocational Rehabilitation; Workers' Compensation

Description:

Requires a provider in its rehabilitation plan to determine if modified or other work with the same employer represents suitable gainful employment.

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