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1003 Bishop Street
Honolulu, Hawaii 96813
Telephone (808) 525-5877

Alison H. Ueoka
Executive Director

TESTIMONY OF ALISON UEOKA

COMMITTEE ON HUMAN SERVICES
Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair

Thursday, February 12, 2015
10:00 a.m.

HB 855

Chair Morikawa, Vice Chair Kobayashi, and members of the Committee, my name is Alison Ueoka, Executive Director of the Hawaii Insurers Council. Hawaii Insurers Council is a non-profit trade association of property and casualty insurance companies licensed to do business in Hawaii. Member companies underwrite approximately thirty-six percent of all property and casualty insurance premiums in the state.

Hawaii Insurers Council supports this bill. This bill imposes sanctions for vocational rehabilitation counselors who do not complete their reports in the timeframe required by law or who submit reports that do not include the information required by law. We believe this will improve accountability and keep the injured worker's case moving toward recovery and employment.

Thank you for the opportunity to testify.

House Committee on Human Services
Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair

Measure Title: Relating to Vocational Rehabilitation Services

Not in Support of HB 855

My name is Beverly Tokumine; I am a vocational rehabilitation Counselor at Vocational Management Consultants Inc. and a member of the International Rehabilitation Professionals. WE ARE NOT IN SUPPORT OF THIS BILL.

Vocational Rehabilitation Counselors are bound to the Administrative Rules 12-14-4 to 12-14-22 which discusses reports, rehabilitation plans, and certification of providers of service as well as enforcement standards which fall under the Department of Labor's jurisdiction.

I am an IARPS member, and the IARPS membership is not in support of this measure, as it hurts a very small group of business owners and counselors who work hard in returning injured workers to suitable and gainful employment.

Please do not pass this House Bill 855.

Submitted by,

Beverly Tokumine, M.Ed. CRC, LMHC
Vocational Rehabilitation Counselor -Vocational Management Consultants, Inc.

715 S. King Street Suite 410
Honolulu, HI 96813
#538-8733

TO: House Committee on Human Services
Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair

Measure Title: Relating to Vocational Rehabilitation Services

WE OPPOSE HB 855

My name is Laurie H. Hamano. I am a vocational rehabilitation counselor, President of the International Association of Rehabilitation Professionals in the Private Sector as well as business owner of Vocational Management Consultants Inc., as well as a Chamber of Commerce Member. **International Rehabilitation Professionals ARE NOT IN SUPPORT OF THIS BILL.**

There are about 25 active vocational rehabilitation counselors who work with the Injured Worker population in Hawaii under the Workers Compensation law assisting them back to their workplace or in a new career as well as helping these Injured Workers to return to productivity while adjusting to their disability. There is another division of Vocational Rehabilitation with the State that hire vocational rehabilitation counselors to assist the disabled community to return to productivity. However, this Division does not assist the injured workers in the State.

The Department of Labor has a Vocational Rehabilitation Unit that is the “overseer” for the vocational rehabilitation product. They also act as decision makers regarding the vocational rehabilitation counselor’s services. The Workers Compensation Data Book completed by the Research and Statistics Division of Department of Labor indicated that there were 1052 injured workers in vocational rehabilitation services in 2013. This was the last book of research released. Out of these cases the average cost for each case was \$4893.44. *The cost of vocational rehabilitation services was “1.9%” of the total cost in workers compensation that year of \$260,351,919.00.* Over the last 13 years the cost has been about “2%”. The VR unit at Department of Labor reviews the services and also determines decisions regarding approved vocational rehabilitation services.

To place penalties upon a very small group of vocational rehabilitation counselors (approximately 25+ active counselors in the State) of which most of these counselors work as sole proprietors would appear to be placing the concern about reporting in the wrong context. Additionally, Vocational Rehabilitation Counselors are bound to the Administrative Rules 12-14-4 to 12-14-22 which discusses reports, rehabilitation plans, certification of providers of service as well as provides enforcement standards which fall under the Department of Labor’s jurisdiction.

A group of counselors worked directly with the Director of Department of Labor and the VR Unit to work on issues relating vocational rehabilitation services. We created an outline to assist the training of a new VR Unit Staff when Ms. Oshiro exits this position. We have in the past worked directly with the Director and the VR Unit to look into creating administrative rules. I would rather suggest the following should be recommended for timeliness in reporting:

- Create a committee to work with Diane Oshiro, VR Unit under the new Director to create Administrative Rules regarding reporting within time limits.
- Should this be considered, the adoption of the administrative rules would take place via a public hearing where those parties who are interested in this issue can also take part in the decision making.

The IARPS membership does not support this measure as it hurts a very small group of business owners and counselors who do “incredible work with very little” when enforcement standards are already in the Administrative Rules.

Please do not pass this House Bill 855.

Thank you for this opportunity to provide our comments.

Sincerely,

Laurie H. Hamano, M.Ed. CRC, LMHC
President of Vocational Management Consultants, Inc.
President of International Association of Rehabilitation Professionals in the Private Sector

My address and phone number is:
715 S. King Street Suite 410
Honolulu, HI 96813
#5388733

February 10, 2015

House Committee on Human Services
Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair

Relating to: HB 855 Relating to Vocational Rehabilitation Services

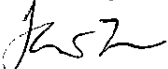
Not in Support of HB 855

Dear Representative Morikawa and members of the Committee:

My name is Kirsten Harada. I am a vocational rehabilitation counselor who has been in practice for 20 years. I assist injured workers in their return to work process and am part of a very small community of service providers. I do not support HB 855 and proposed sanctions as we are already under the jurisdiction of the Department of Labor which enforces standards and timeframes related to provider certifications, report writing, and rehabilitation plans under Administrative Rules 12-14-4 to 12-14-22.

I would therefore strongly urge you **not to pass** HB 855, Relating to Vocational Rehabilitation Services.

Sincerely,



Kirsten Harada, M.Ed., CRC, LMHC
Vice President of Vocational Management Consultants
Member of International Association of Rehabilitation Professionals in Private Sector

My address and phone number is:
715 S. King Street, Suite 410
Honolulu, HI 96813
Phone: 538-8733

KIRSTEN H. HARADA, M. Ed., CRC, MHC
Vice President, Rehab. Specialist, TFT-Alg

BEVERLY TOKUMINE, M. Ed., CRC, MHC
Senior/Rehabilitation Specialist, TFT-Alg

VOCATIONAL MANAGEMENT
CONSULTANTS, INC.

LAURIE H. HAMANO, M. Ed., CRC, MHC, TFT-Alg
President, Rehabilitation Specialist

PATTI ANN INOUE, M. Ed., CRC, MHC
Rehabilitation Specialist, TFT-Alg

JESSICA BOHNE, M. Ed., CRC
Rehabilitation Specialist, TFT-Alg

February 10, 2015

House Committee on Human Services
Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair

Relating to: HB 855 Relating to Vocational Rehabilitation Services

Not in Support of HB 855

Dear Representative Morikawa and members of the Committee:

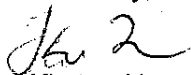
My name is Kirsten Harada. I am a vocational rehabilitation counselor and Vice President of Vocational Management Consultants. I writing on behalf of the company and its staff who are in opposition to HB 855.

Vocational rehabilitation providers in the State of Hawaii represent only about 25 active counselors. We are mainly comprised of small businesses and sole proprietors and only represent about 1.9% of the total cost in worker's compensation system.

We are already bound by Administrative Rules 12-14-4 to 12-14-22 relating to report and rehabilitation plan standards and timeframes and are under the jurisdiction of the Department of Labor for enforcement of these standards.

I would therefore strongly urge you **not to pass** HB 855, Relating to Vocational Rehabilitation Services.

Sincerely,

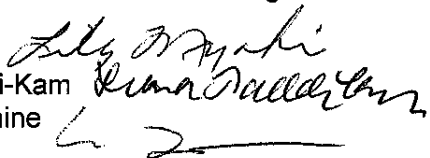


Kirsten Harada, M.Ed., CRC, LMHC
Vice President of Vocational Management Consultants

Lily Miyahira

Leona Tadaki-Kam

Adam Yonamine



LATE



Chamber of Commerce HAWAII
The Voice of Business

**Testimony to the House Committee on Human Services
Thursday, February 12, 2015 at 10:00 A.M.
Conference Room 329, State Capitol**

**RE: HOUSE BILL 855 RELATING TO VOCATIONAL REHABILITATION
SERVICES**

Chair Morikawa, Vice Chair Kobayashi, and Members of the Committee:

The Chamber of Commerce of Hawaii ("The Chamber") **strongly supports** HB 855, which clarifies that vocational rehabilitation providers are subject to penalties pursuant to section 386-97.5, HRS.

The Chamber is the largest business organization in Hawaii, representing over 1,000 businesses. Approximately 80% of our members are small businesses with less than 20 employees. As the "Voice of Business" in Hawaii, the organization works on behalf of members and the entire business community to improve the state's economic climate and to foster positive action on issues of common concern.

This bill will help provide better reporting and more timely processing of patient care in the vocational rehabilitation area. Employers and other health care providers such as physicians, surgeons, or hospitals have to file similar reports, under more stringent timelines (as short as 7 days) and with larger penalties (up to \$5,000). We believe that penalties for untimeliness in the statute help keep injured workers on track with their treatment and helps get them back to work as soon as possible. This bill continues that practice and applies that to the vocational rehabilitation area. Finally, it provides conformity to all providers.

Thank you for the opportunity to testify.

kobayashi2-Lynda

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 4:24 PM
To: HUS testimony
Cc: lhamano@vmchawaii.com
Subject: Submitted testimony for HB855 on Feb 12, 2015 10:00AM
Attachments: hb 855 petition.pdf

HB855

Submitted on: 2/10/2015

Testimony for HUS on Feb 12, 2015 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
laurie hamano	VMC	Oppose	Yes

Comments: This is a petition with names of 11 concerned citizens who would not want this HB 855 to be passed. Thank you.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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HB 855

WE SIGNED BELOW. DO NOT SUPPORT THE BILL FOR PENALTIES ON VOCATIONAL REHABILITATION SERVICES FOR INJURED WORKERS.

Name (Print)	Signature	Telephone	Address	E-mail
Jon Kuroki		718-8465		jonk@hawaii.com
KAREEM ABDUL-ADAL		630-7574		kg-abuad@3@gmail.com
LISA CRANFORD		304-9374	629 MOKAUA	LISA.CRANFORD@MHI.COM
Lily Miyahira		398-9460	3191 Aloha Ave Pt. Hon 96817	
Rihard Oze		212-3858		CON3FBBS@gmail.com
STEVE CROSGRONE		714-725 3545		
Adam Yonamine		203-9564		
Nancy Sugii		225-4111	641075 Naniinilini St. Waipahu, HI 96797	kahuita1@yahoo.com
Henry Reano		497-7238		
ROBERT WALLING		226-0149	737 Twin View Dr Honolulu, HI 96817	N/A
Curtis Yoneda	 (emailed approval)	754-6930	146-A Hauola Ave Makaha, HI 96786	Curtisyoneda@gmail.com



O. Gary Whitney, M.Ed., CRC

2618 Waialani Avenue
Honolulu, Hawaii 96817

Phone: (808) 585-7873 • Fax: (808) 595-4349
email: Gary@overhobohawaii.com

**vocational
consultants**

Via Fax: 586-6501

LATE

Measure: HB 855; Relating to Vocational Rehabilitation Services

House Committee on Human Services

Date: February 12, 2015

Time: 10:00 pm

Testimony of O. Gary Whitney, M.Ed., CRC, NBCC, LMHC

The Honorable Dee Morikawa, Chair
The Honorable Bertrand Kobayashi, Vice Chair
And Members of the Committee

I am testifying **AGAINST** HB 855 – Relating to Vocational Rehabilitation Services

I am a certified vocational rehabilitation counselor practicing in Hawaii for the past thirty-three years. My primary target population are injured workers.

Vocational rehabilitation is a complex service with many participants such as the injured worker, attending physician, employer, and insurance carrier.

In my years of providing vocational rehabilitation services to injured workers I have not found a major problem in submitting an Initial Evaluation in 45 days. However, the few times that it has happened it was primarily due to the length of time required to obtain physical work restrictions from the attending physician and/or the insurance carrier did not provide the medical file in a timely manner.

To place a penalty upon the counselor is not warranted.

Any problems with vocational rehabilitation report writing should be dealt with by the VR unit at the Department of Labor which oversees the vocational rehabilitation program.

Respectfully submitted,

O. Gary Whitney, M.Ed., CRC, NBCC, LMHC

February 10, 2015

Date

TO: House Committee on Human Services
Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair

Measure Title: Relating to Vocational Rehabilitation Services

I OPPOSE HB 855

My name is Adam Yonamine. I work for a vocational rehabilitation company and am **NOT IN SUPPORT OF THIS BILL.**

I have taken a look online and have found that there are about 25 active vocational rehabilitation counselors who work with Injured Workers in Hawaii, assisting them in returning to their workplace or in a new career. The counselors also assist with helping the Injured Workers to adjust to their disability and to become productive again.

The Department of Labor has a Vocational Rehabilitation Unit that oversees the vocational rehabilitation product. They also act as decision makers regarding the vocational rehabilitation counselor's services. The Workers Compensation Data Book completed by the Research and Statistics Division of Department of Labor indicated that there were 1052 injured workers in vocational rehabilitation services in 2013. This is the most recent book of research released. Out of these cases the average cost for each case was \$4893.44. *The cost of vocational rehabilitation services was "1.9%" of the total cost in workers compensation that year of \$260,351,919.00.* Over the last 13 years the cost has been about "2%". The VR unit at Department of Labor reviews the services and also determines decisions regarding approved vocational rehabilitation services.

To place penalties upon a very small group of vocational rehabilitation counselors, (approximately 25+ active counselors in the State) of which most work as sole proprietors, would appear to be placing the concern about reporting in the wrong context. Additionally, Vocational Rehabilitation Counselors are bound to the Administrative Rules 12-14-4 to 12-14-22 which discusses reports, rehabilitation plans, certification of providers of service, as well as provides enforcement standards which fall under the Department of Labor's jurisdiction.

A group of counselors worked directly with the Director of Department of Labor and the VR Unit to work on issues relating to vocational rehabilitation services. They created an outline to assist the training of a new VR Unit Staff when Ms. Oshiro exits this position. In the past, the group of counselors worked directly with the Director and the VR Unit to look into creating administrative rules. When reviewing those rules, I came across the following which, in my opinion, could possibly serve as guidelines regarding the timeliness of reports:

- Create a committee to work with Diane Oshiro, VR Unit under the new Director to create Administrative Rules regarding reporting within time limits.
- Should this be considered, the adoption of the administrative rules would take place via a public hearing where those parties who are interested in this issue can also take part in the decision making.

Please do not pass this House Bill 855.

Thank you for this opportunity to provide my comments.

Sincerely,

Adam Yonamine

kobayashi2-Lynda

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 09, 2015 1:46 PM
To: HUS testimony
Cc: mberkowitz@vocationoptions.com
Subject: Submitted testimony for HB855 on Feb 12, 2015 10:00AM

Categories: Purple Category

HB855

Submitted on: 2/9/2015

Testimony for HUS on Feb 12, 2015 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
marcia	Individual	Oppose	No

Comments: I am not in support of House Bill #855. There is already a vocational unit in place to oversee any problems with late reports, plans, etc. This bill would be overkill and cause more "headaches" within an already burdened system. Thank you, Marcia Berkowitz, CRC, LMHC 808-298-4142

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kobayashi2-Lynda

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 10, 2015 12:52 PM
To: HUS testimony
Cc: ogawaa@ymail.com
Subject: Submitted testimony for HB855 on Feb 12, 2015 10:00AM

HB855

Submitted on: 2/10/2015

Testimony for HUS on Feb 12, 2015 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Alan Ogawa	Individual	Oppose	No

Comments: I suggest that the Department of Labor work to create administrative rules through public hearings and discussions with parties involved

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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LATE

TO: House Committee on Human Services
Representative Dee Morikawa, Chair
Representative Bertrand Kobayashi, Vice Chair

Measure Title: Relating to Vocational Rehabilitation Services

OPPOSE HB 855

To Whom It May Concern:

As a Client in the offices for Vocational Rehab, I have witnessed on quite a few occasions when my counselor, Ms. Hamano was quite "stalled" in completing her reports in a timely matter, due to the non-responding doctor's reports/signatures. Even with my counselor and myself taking all steps possible to get the appropriate responses in a timely manner. For example: faxing, as well as sending letters via USPS, and leaving voice messages. We have waited for the responses for a long period, that I took the original at one time to a doctor's appointment in order for him to sign my medical hold.

Therefore, please reconsider Bill HB 855.

Respectfully,
G. Suarez