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# A BILL FOR AN ACT

RELATING TO VOCATIONAL REHABILITATION.

**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 the injury has reached maximum medical improvement,  
7 where the employer has made no offer of permanent suitable work  
8 that would restore the earnings capacity as nearly as possible  
9 to that level that the employee was earning at the time of  
10 injury, and who, in the director's opinion, can be vocationally  
11 rehabilitated to the department of human services or to private  
12 providers of rehabilitation services for vocational  
13 rehabilitation services that are feasible. A referral shall be  
14 made upon recommendation of the rehabilitation unit established  
15 under section 386-71.5 and after the employee has been deemed  
16 physically able to participate in rehabilitation by the  
17 employee's attending physician. The unit shall include



1 appropriate professional staff and shall have the following  
2 duties and responsibilities:

3 (1) To review and approve rehabilitation plans developed  
4 by certified providers of rehabilitation services,  
5 whether they [~~be~~] are private or public;

6 (2) To adopt rules consistent with this section that shall  
7 expedite and facilitate the identification,  
8 notification, and referral of industrially injured  
9 employees to rehabilitation services[~~7~~] and establish  
10 minimum standards for providers providing  
11 rehabilitation services under this section;

12 (3) To certify private and public providers of  
13 rehabilitation services meeting the minimum standards  
14 established under paragraph (2); and

15 (4) To enforce the implementation of rehabilitation  
16 plans."

17 SECTION 2. Statutory material to be repealed is bracketed  
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect on July 1, 2007.



**Report Title:**

Vocational Rehabilitation

**Description:**

Adds an employee who has otherwise been deemed unable to return to the employee's position after the injury has reached maximum medical improvement, where no offer for permanent alternative duty at equal compensation is made by the employer, to those whom the director of labor and industrial relations may refer to the department of human services or private vocational rehabilitation services. Effective 7/1/07.

