## A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

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

- 1 In response to the recent increase in emissions SECTION 1. 2 from Kilauea's newest vent at Halema'uma'u crater, a House 3 Special Committee on Vog Effects (Committee) was created to 4 bring together experts to examine the effects of vog on the 5 people of the State of Hawaii. The Committee held a series of 6 fact-finding meetings focusing on health and public safety, 7 agriculture, and economic impacts and tourism. 8 The purpose of this Act is to require the department of 9 labor and industrial relations to develop rules for workers' 10 compensation claims related to exposure to vog. 11 SECTION 2. The department of labor and industrial 12 relations shall develop and implement rules governing workers' 13 compensation claims that are filed for vog-related medical 14 The rules shall include, at a minimum, medical 15 conditions for which claims may be filed, a process for filing 16 these claims, and conditions under which claims may be denied. 17 In developing these rules, the department of labor and
- 18 industrial relations shall consult with the department of HB HMS 2009-1185



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- 1 health, workers' compensation insurers, healthcare providers,
- 2 healthcare insurers, and anyone else deemed necessary by the
- 3 department of labor and industrial relations.
- 4 SECTION 3. The department of labor and industrial
- 5 relations shall submit a report to the legislature of its
- 6 findings and recommendations, including any necessary
- 7 legislation, on the development and implementation of rules
- 8 governing workers' compensation claims based on health
- 9 conditions related to vog exposure and shall also submit a copy
- 10 of their proposed rules to the legislature no later than twenty
- 11 days prior to the convening of the regular session of 2010.
- 12 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

JAN 2 3 2009

HB HMS 2009-1185

### Report Title:

Workers' Compensation; Vog

### Description:

Requires the Department of Labor and Industrial Relations to develop rules for workers' compensation claims involving vogrelated medical conditions.

