



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 10, 2018

**GOV. MSG. NO. 1297**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Ninth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Twenty-Ninth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 10, 2018, the following bill was signed into law:

HB2377 HD1 SD1

RELATING TO WORKERS' COMPENSATION  
**ACT 188 (18)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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## A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

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

1       SECTION 1. Section 386-25, 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       the same employer represents suitable gainful  
16       employment, and, should it not;



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

(4) Then providing training to obtain employment in another occupational field. When training to obtain employment in another occupational field is required, the first appropriate option among the following options shall be selected for the employee:

(A) On-the-job training;

(B) Short-term retraining program (less than fifty-two weeks); or

(C) Long-term retraining program (more than fifty-two weeks); and

(5) Lastly, if training under paragraph (4) is not feasible, then self-employment may be considered."

SECTION 2. Section 386-71.5, Hawaii Revised Statutes, is amended to read as follows:

"[+]§386-71.5[+] Rehabilitation unit. There is established within the department of labor and industrial relations a rehabilitation unit. All professional and clerical employees of this unit shall be appointed and administered by



1 the director. The rehabilitation unit shall have the duties and  
2 responsibilities provided in section 386-25. Employees of the  
3 unit shall be subject to chapter 76."

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 Statutory material to be repealed is bracketed  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

6 SECTION 4. This Act shall take effect upon its approval.  
7

APPROVED this 10 day of JUL , 2018

*David Y. Ige*

GOVERNOR OF THE STATE OF HAWAII



HB No. 2377, HD 1, SD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 26, 2018  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki  
Speaker  
House of Representatives

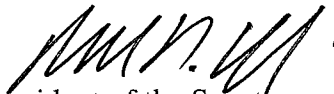



Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAI'I**

Date: April 10, 2018  
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the  
Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.

  
President of the Senate

  
Clerk of the Senate