

Honolulu, Hawaii

MAR 18 2025

RE: H.B. No. 480
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2025
State of Hawaii

Sir:

Your Committee on Labor and Technology, to which was referred H.B. No. 480, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize an attending physician to request a functional capacity examination and refer an injured employee for the examination without first obtaining permission from the employee's employer; and
- (2) Allow licensed occupational and physical therapists to be deemed qualified to perform functional capacity examinations.

Your Committee received testimony in support of this measure from the Department of Human Resources Development, Department of Labor and Industrial Relations, Hawaii Insurers Council, and Hawaii Medical Association.

Your Committee finds that functional capacity examinations are a critical step in the State's workers' compensation program and return to work program, as they assess an injured worker's ability to return to work. These examinations provide valuable



medical information to objectively determine an employee's physical capabilities, thereby informing the optimal next steps in the employee's recovery and reemployment process. Utilizing data from a functional capacity examination to modify jobs and gradually transition an employee back to work decreases the risk for reinjury or long-term disability. Unreasonable delays in the approval and performance of these assessments may increase an injured employee's recovery timeline. This measure amends the procedures for conducting functional capacity examinations to ensure the examinations are conducted in a timely manner and at the appropriate stage in the workers' compensation process, facilitating superior outcomes for employees and employers.

Your Committee has amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Labor and Technology that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 480, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 480, H.D. 1, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Labor and
Technology,


HENRY J. AQUINO, Chair



The Senate
 Thirty-Third Legislature
 State of Hawai'i

Record of Votes
Committee on Labor and Technology
LBT

Bill / Resolution No.:* <i>HB 480 HD1</i>	Committee Referral: <i>LBT, CPN/TEAM</i>	Date: <i>3/12/25</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
AQUINO, Henry J.C. (C)	x			
LEE, Chris (VC)	x			
IHARA, Jr., Les	x			
MORIWAKI, Sharon Y.				x
FEVELLA, Kurt	x			
TOTAL	<i>4</i>			<i>1</i>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

***Only one measure per Record of Votes**