



STATE OF HAWAII
KA MOKU'ĀINA O HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS
KA 'OIHANA PONO LIMAHAHA

February 26, 2026

To: The Honorable Scot Z. Matayoshi, Chair,
The Honorable Tina Nakada Grandinetti, Vice Chair, and
Members of the House Committee on Consumer Protection & Commerce

Date: Thursday, February 26, 2026
Time: 2:00 p.m.
Place: Conference Room 329, State Capitol

From: Jade T. Butay, Director
Department of Labor and Industrial Relations (DLIR)

Re: H.B. 1514 H.D.1 RELATING TO WORKERS' COMPENSATION

I. OVERVIEW OF PROPOSED LEGISLATION

The **DLIR supports the intent** of this measure and **respectfully requests amendments** to maintain consistency and strengthen the intent of the measure.

HB1514 HD1 proposes to amend HRS §386-25 by:

- Clarifying the process for selecting a certified provider of rehabilitation services.
- Requiring a provider to automatically approve an injured employee for vocational rehabilitation services if the provider determines that the injured employee will likely require vocational rehabilitation services to return to suitable gainful employment.
- Requiring providers to file an employee's vocational plan no later than ninety days after submitting an initial evaluation report, with certain exceptions.
- Specifying when a rehabilitation plan is considered received by an employer.

II. CURRENT LAW

§386-25(a) provides that the purpose of vocational rehabilitation is:

- To restore an injured worker's earnings capacity as nearly as possible to the level that the worker was earning at the time of injury, and
- To return the injured worker to suitable gainful employment in the active labor force as quickly as possible in a cost-effective manner.

§386-25(d) specifies that a provider shall submit an initial evaluation report of the

employee to the employer and the director within forty-five days of the date of referral or selection. The evaluation shall determine whether the employee requires vocational rehabilitation services to return to suitable gainful employment, identify the necessary services, and state whether the provider can provide these services.

III. COMMENTS ON THE HOUSE BILL

The Department supports the intent of this measure to streamline vocational rehabilitation processes for injured workers. However, we respectfully recommend amendments to avoid unintended delays and inconsistencies with existing procedures, as follows:

The Department suggests amending §386-25(c) as follows:

- Page 4, line 12:

If the injured employee elects to enroll in a rehabilitation plan or program, the injured employee shall select a certified provider of rehabilitation services no later than thirty days after the selection is made. Once the injured employee selects a certified provider, both the certified provider and the injured employee shall give proper notice of selection to the employer within seven days.

The amended language establishes a defined “selection”, rather than “referral”, because the “selection” is the point at which the provider actually becomes responsible for performing the evaluation. Additionally, a clear notification timeline of seven days, replacing the ambiguous phrase “within a reasonable time,” ensures consistency and helps maintain clear momentum in the rehabilitation process. The employee already has thirty days to select a certified provider, and clarifying this step ensures the process moves forward without unnecessary delays.

- Page 5, line 1, strike “director” and replace with “employer”

The proposed amendment provides that if an employee fails to select a provider within thirty days, then the director selects a provider and informs the employee. However, this approach is inconsistent with the intent of Chapter 386, HRS, which establishes a framework in which the employer and employee manage the workers’ compensation claim, with the Director servicing strictly as an oversight authority, not a case manager or service coordinator.

The workers’ compensation law is designed for the Director to certify rehabilitation providers and approve or deny the rehabilitation plans prepared by those providers. If the Department both assigns the provider and later evaluates the provider’s plan, the Department is placed in a compromised position.

Unlike the Department of Human Resources Department, which administers the State’s internal return-to-work program for injured State employees. DLIR does not act as a case manager for private-sector workers’ compensation claims. DLIR’s statutory role is to ensure compliance with the law, approve plans, and oversee overall program integrity. Assigning the Director the responsibility of selecting a rehabilitation counselor may raise legal concerns, and if a dispute arises regarding the provider’s plan or performance, parties may challenge the selection on grounds of impartiality, leading to appeals and delays.

The department recommends keeping the selection responsibility with the employer if the injured worker does not select a provider within the established timeframe. This approach maintains operational efficiency, aligns with this bill's intent to avoid prolonged legal challenges that could arise if the Director selects or assigns a provider and the injured worker later disputes the results or raises claims of conflict of interest. Such disputes could cause unintended delays and undermine the measure's intended goal of streamlining vocational rehabilitation.

The DLIR also recommends the following amendment to the new proposed subsection (e) for clarity

- Page 7, line 8, insert at the end of sentence: "*and the initial evaluation report finds the injured employee feasible to participate.*"

The Department also highly recommends deleting the language in the amendment to subsection (f) that requires filing a treatment plan within 90 days of the initial evaluation report (Pg. 7, lines 10-14). This proposed amendment may unintentionally delay appropriate plan formulation in more complex cases involving medical instability, labor market challenges, or coordination with multiple stakeholders.

The Department supports the intent of the measure to improve vocational rehabilitation processes and ensure timely, cost-effective care for injured workers. However, we respectfully request the Committee's consideration of these amendments to maintain clarity, consistency, and alignment with the fundamental framework of the workers' compensation law.

Thank you for the opportunity to provide input on this important matter.



JOSH GREEN, M. D.
GOVERNOR
KE KIA'ĀINA

SYLVIA LUKE
LT. GOVERNOR
KA HOPE KIA'ĀINA

BRENNA H. HASHIMOTO
DIRECTOR
KA LUNA HO'OKELE

BRIAN K. FURUTO
DEPUTY DIRECTOR
KA HOPE LUNA HO'OKELE

STATE OF HAWAII | KA MOKU'ĀINA O HAWAII
DEPARTMENT OF HUMAN RESOURCES DEVELOPMENT
KA 'OIHANA HO'OMŌHALA LIMAHANA
235 S. BERETANIA STREET
HONOLULU, HAWAII 96813-2437

Statement of
BRENNA H. HASHIMOTO
Director, Department of Human Resources Development

Before the
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Thursday, February 26, 2026
2:00PM
State Capitol, Conference Room 329

In consideration of
HB1514 HD1, RELATING TO WORKERS' COMPENSATION

Chair Matayoshi, Vice Chair Grandinetti, and members of the committee:

The Department of Human Resources Development (HRD) is in support of HB1514 HD1.

The purpose of HB1514 HD1 is to:

- Clarify the process for selecting a certified provider of rehabilitation services.
- Require providers to automatically approve vocational rehabilitation services for an injured employee if those services will likely be required for suitable gainful employment.
- Require providers to file an employee's vocational plan no later than ninety days after submitting an initial evaluation report, with certain exceptions.
- Specify when a rehabilitation plan is considered received by an employer.

As a self-insured employer, HRD appreciates and is in support of the intent of the measure which focuses on returning injured workers to suitable gainful employment in a timely fashion by clarifying referral processes to vocational rehabilitation specialists while affirming responsibilities of the director, the injured worker, the vocational rehabilitation specialist, and the employer.

Thank you for the opportunity to provide testimony. We are available to answer any questions or provide further information as needed.

TESTIMONY OF MILIA LEONG

COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Representative Scot Z. Matayoshi, Chair
Representative Tina Nakada Grandinetti, Vice Chair

Thursday, February 26, 2026
2:00 p.m.

HB 1514, HD1

Chair Matayoshi, Vice Chair Grandinetti, and members of the Committee on Consumer Protection & Commerce, my name is Milia Leong, Executive Claims Administrator for HEMIC Insurance Managers, Inc., and Chair of the Workers' Compensation Policy Committee for Hawaii Insurers Council. The 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 forty percent of all property and casualty insurance premiums in the state.

Hawaii Insurers Council **opposes** this bill. This bill requires the department to choose a Vocational Rehabilitation (VR) Counselor if one is not chosen by the injured worker. This was a law in years past and did not work as the department did not have the resources to implement this provision. The department continues to lack resources and therefore would not be able to perform this function. The bill also requires the VR Counselor to submit their report within 90 days.

We believe that both these provisions are unworkable in the present system and ask that the bill be amended to its original form where the employer makes the choice for VR Counselor if the injured worker does not, and to delete the 90-day provision for the Counselor to submit their report.

Thank you for the opportunity to testify.

HB-1514-HD-1

Submitted on: 2/24/2026 7:38:43 PM

Testimony for CPC on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Workers' Comp Physicians	WIMAH - Work Injury Medical Assoc. of Hawaii	Support	Written Testimony Only

Comments:

Support for HB1514– Relating to Workers’ Compensation

Dear Chair Matayoshi, Vice Chair, and Members of the Committee,

Work Injury Medical Association of Hawaii (WIMAH) is submitting testimony in strong support of HB1514. Some of our members participate in the workers’ compensation working group that collaborated with Representative Matayoshi in developing this bill, and we appreciate the Committee’s consideration of this measure.

HB1514 reflects months of discussion among stakeholders who are actively engaged in Hawai‘i’s workers’ compensation system and are focused on practical reforms that improve fairness, clarity, and efficiency. The bill advances these goals in a balanced way and represents a consensus step forward for both injured workers and employers.

Thank you for the opportunity to testify.

Gary Okamura, MD

WIMAH President



**House Committee on Consumer Protection & Commerce
Rep. Scot Matayoshi, Chair
Rep. Tina Grandinetti, Vice Chair**

Thursday, February 26, 2026, at 2:00 PM

RE: HB 1514, HD1 Relating to Workers' Compensation

Chair Matayoshi, Vice Chair Grandinetti, and Members of the Committee:

The Society for Human Resource Management – Hawaii (“SHRM Hawaii”) respectfully opposes HB 1514, HD1, Relating to Workers’ Compensation.

SHRM Hawai‘i represents more than 900 human resource management professionals statewide. Human resource professionals are responsible for ensuring compliance with employment laws while balancing the interests of employers and employees. We support policies that promote timely and appropriate care for injured workers, while also preserving fairness, due process, and operational feasibility for employers.

While we appreciate the intent of HB 1514 to streamline vocational rehabilitation services, we respectfully oppose the measure because it tilts the balance too far in one direction. Requiring automatic approval of vocational rehabilitation services whenever they are deemed “likely” to be required for suitable gainful employment significantly limits an employer’s ability to meaningfully review, assess, and coordinate services. Employers often must work with insurers, third-party administrators, and legal counsel to evaluate rehabilitation plans and ensure they are appropriate, cost-effective, and aligned with statutory requirements. Mandating automatic approval removes necessary checks and reduces collaboration in what should be a cooperative process.

Additionally, imposing rigid deadlines for filing vocational plans and specifying receipt timelines may create unintended compliance risks without necessarily improving outcomes for injured workers. A one-size-fits-all approach does not account for the complexities of individual cases. Workforce policies function best when they preserve a fair balance between timely employee support and reasonable employer review.

Thank you for this opportunity to provide testimony.

Erin Kogen and Maggie Batangan
Co-chairs, SHRM Hawaii Legislative Affairs Committee



SHRM Hawaii, P. O. Box 3175, Honolulu, Hawaii (808) 447-1840



HAWAII REHABILITATION COUNSELING ASSOCIATION
120 Pauahi Street, Room 206B
Hilo, HI 96720

TO: THE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Scot Z. Matayoshi, Chair
Rep. Tina Nakada Grandinetti, Vice Chair

Rep. Cory M. Chun	Rep. Greggor Ilagan
Rep. Linda Ichiyama	Rep. Nicole E. Lowen
Rep. Lisa Marten	Rep. Adrian K. Tam
Rep. Kim Coco Iwamoto	Rep. Elijah Pierick
Rep. Sam Satoru Kong	

FROM: Lanelle Yamane, MS, CRC, LMHC
President

DATE: 2/25/26

RE: HB1514 HD1 - RELATING TO WORKERS' COMPENSATION
Date: FEBRUARY 26, 2026
TIME: 2:00 PM State Capitol - Conference Room 329 & Videoconference

The Hawaii Rehabilitation Counseling Association **opposes** the following revision to HB 1514 HD1:

[-(-e-)-] (f) A provider shall file the employee's plan with the approval of the employee no later than 90 days after the provider submits an initial evaluation report, unless the employer, provider, and injured employee agree to an extension of that deadline to a specific date by which the plan shall be completed.....

RATIONAL FOR OPPOSITION:

Injured employees are going through the adjustment to disability change process and typically enroll in a vocational rehabilitation program while in the denial phase (dealing with anger, grief, and depression) and counseling is needed to help them accept and adjust to their disability before a feasible vocational goal can be identified to submit a rehabilitation plan. Injured employees are not ready to develop a rehabilitation plan until they accept the reality of having permanent impairment and work limitations. Acceptance of change is not a quick process nor can it be forced upon a person within a pre-determined time frame without harm to the individual. Certified rehabilitation counselors' code of ethics prohibits us from

A change of career or occupation is difficult at any age, and an injured employee needs time and guidance to explore their vocational options with their vocational rehabilitation counselor to make an informed decision.

An injured employee needs time to benefit from vocational rehabilitation services prior to rehabilitation plan development. These services include: adjustment to disability

counseling, vocational exploration, transferrable skills analysis, job search skills improvement, understanding the labor market and the vocational choices available, vocational evaluation services, and thorough rehabilitation plan development. The aforementioned services cannot be accomplished within only ninety days.

Injured employees are also referred and enrolled in vocational rehabilitation while they are going through medical treatment and they may not be medically stable and physically/psychologically ready to formulate a rehabilitation plan within ninety days.

Additionally, the Federal/State vocational rehabilitation system allows for uncapped modifications or revisions of a vocational rehabilitation plan whereas the Worker's Compensation vocational rehabilitation system allows for only one revision to a rehabilitation plan. If the law is changed and a time frame is instituted for developing a plan, we request the allowance of uncapped revisions to a vocational rehabilitation plan, following the Federal/State vocational rehabilitation system.

We recommend that the current laws regarding vocational rehabilitation plans remain as written.

We respectfully ask this Committee to consider the above. Thank you for the opportunity to testify.



To: The Honorable Scot Z. Matayoshi, Chair
The Honorable Tina Nakada Grandinetti, Vice Chair
House Committee on Consumer Protection and Commerce

From: Mark Sektnan, Vice President

Re: **HB 1514 HD1 – Relating to Workers' Compensation**
APCIA Position: SUPPORT with Amendments

Date: Thursday, February 26, 2026
2:00 p.m., Room 329

Aloha Chair Matayoshi, Vice Chair Grandinetti and Members of the Committee,

The American Property Casualty Insurance Association (APCIA) is pleased to support **HB 1514 HD1** which makes important improvements to Hawai'i's workers' compensation system.

The American Property Casualty Insurance Association is the primary national trade association for home, auto, and business insurers. APCIA promotes and protects the viability of private competition for the benefit of consumers and insurers, with a legacy dating back 150 years. APCIA members represent all sizes, structures, and regions—protecting families, communities, and businesses in the U.S. and across the globe.

HB 1514 HD1 is part of a package of bills put forward by a working group looking to improve the workers' compensation system. This bill addresses several long-recognized challenges within the vocational rehabilitation process and makes important improvements to Hawai'i's workers' compensation system—specifically the delivery and timeliness of vocational rehabilitation services. Additionally, it clarifies the process for selecting certified vocational rehabilitation providers and requires automatic approval of services when they are likely needed to help an injured worker return to suitable gainful employment.

The Legislature's findings note the critical role of early intervention and the need to minimize delays so injured workers can return to work as quickly and safely as possible. Adequate rehabilitation access is increasingly important as many current providers retire or exit the field, raising concerns about future statewide capacity. HB 1514 HD1's provisions help ensure timely plan development and consistent provider availability, improving outcomes for employees while also managing long-term costs for employers and insurers.

APCIA supports the intent of the bill but believes the 90-day requirement for the submission of a plan is impractical and should be deleted from the bill. This provision was not agreed to by the working group and would place a burden on vocational rehabilitation counselors.

For these reasons, APCIA asks the committee to **amend** the bill.

**INTERNATIONAL ASSOCIATION OF REHABILITATION PROFESSIONALS (IARP),
HAWAII CHAPTER**

TO: COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Rep. Scot Z. Matayoshi, Chair
Rep. Tina Nakada Grandinetti, Vice Chair
Rep. Cory M. Chun
Rep. Nicole E. Lowen
Rep. Greggor Ilagan
Rep. Lisa Marten
Rep. Linda Ichiyama
Rep. Adrian K. Tam
Rep. Kim Coco Iwamoto
Rep. Elijah Pierick
Rep. Sam Satoru Kong

FROM: IARP President: Andrew Alejandro, M.S., CRC

DATE: FEBRUARY 26, 2026

RE: HB1514 HD1 - RELATING TO WORKERS' COMPENSATION HEARING
Date: FEBRUARY 26, 2026
TIME: 2:00PM
State Capitol - Conference Room 309 & Videoconference

The International Association of Rehabilitation Professionals, Hawaii Chapter **opposes** the following revisions to HB 1514 HD1:

1. *(5) The enrollment form and the statement of worker's rights and responsibilities form obtained from the department.*

(e) A provider shall automatically approve vocational rehabilitation services for an injured employee; provided that the provider determines that the injured employee will likely require vocational rehabilitation services to return to suitable gainful employment.

~~(e)~~(f) A provider shall file the employee's plan with the approval of the employee[.] no later than ninety days after the provider submits an initial evaluation report, unless the employer, provider, and injured employee agree to an extension of that deadline to a specific date by which the plan shall be completed. Upon receipt of the plan from the provider, an employee shall have ten days to review and sign the plan. The plan shall be submitted to the employer and the employee and be filed with the director within two days from the date of the employee's signature.

OPPOSITION RATIONALE:

The following rationale was submitted previously on 02/17/2026, in opposition of the HB1514 HD1's revision to section (5)(e-f), and remains relevant for this hearing, as described as follows:

Point I – VR Code of Ethics & Addressing Uniqueness of Every Individual:

Assigning a specific timeline for plan submittal after an injured worker enrolls into private VR program is not practical, as adjustment to disability is individualized to the participant and must be addressed in a person-centered fashion. Factors such as comorbidity of injury, past trauma, and attainment of successful coping strategies may all affect the injured worker’s ability to move forward with seeking and obtaining suitable gainful employment.

To require an injured worker to be placed into plan within a 90-day period after initial evaluation is not only a disservice to the injured worker but is in direct conflict to the Code of Professional Ethics for Certified Rehabilitation Counselors; as CRCs are committed to recognizing diversity and embrace of culturally relevant and responsive approaches to support the worth, dignity, potential, and *uniqueness of individuals with disabilities* within their social and cultural context. It is irresponsible to assume that all injured workers will be “plan-ready” within a 90-day period after initial evaluation; as *uniqueness of disability* needs are not only quantified through recommended services, but also through the necessary time it will take for injured workers to mentally and physically reach their own personal “plan readiness.”

Further, the Code of Professional Ethics for Certified Rehabilitation Counselors requires all VR providers to operate under six principles of ethical behavior, one of which is Justice; *to be fair in the treatment of all clients; to provide appropriate services to all*. Should injured workers be forced into rehabilitation plan before they are physically and psychologically capable, the *appropriateness* of services outlined in the plan *cannot reasonably* be considered “appropriate”.

Point II – VR Provider’s Responsibility to coordinate return-to-work efforts with Employer:

Per HRS 386-25 (e), A plan shall include a statement of the feasibility of the vocational goal, using the process of:

- (1) First determining if the employee's usual and customary employment represents suitable gainful employment, and, should it not;*
- (2) Next determining if modified work or other work with the same employer represents suitable gainful 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.*

Prior to confirming a vocational goal to be pursued, statutes state that the VR provider and injured worker must first confirm the Employer's ability to either allow for the injured worker to return to their usual and customary duties or confirm modified work or other work with the same employer that represents suitable gainful employment. In the event that the Employer does not respond to the VR provider's inquiry for return-to-work options within the initial 90-day plan creation period, a VR plan would be unable to be submitted and still remain compliant with HRS 386-25 of confirming work accommodations with the Employer first.

Point III – Ongoing Medical Treatment and / or lack of Medical Clearance or Work Restrictions:

Although VR providers strongly advocate for early intervention of vocational rehabilitation services, even while employees are still receiving treatment, should the injured worker be receiving on-going medical treatment for their injury, and work clearance from their Treating Physician is yet to be received at the 90-day plan submittal due date, the injured worker would be physically unable to participate in a formalized rehabilitation plan until all medical treatments are addressed and work clearance received.

Point IV – Differences between VR Services offered through the State and Federal Systems, versus Workers Compensation:

Vocational rehabilitation services offered through the Federal/State vocational rehabilitation agencies may typically allow for unlimited modifications or revisions of a vocational rehabilitation plan, after an initial plan is submitted. ***VR providers within Workers Compensation are not afforded the ability to submit multiple VR plan amendments.***

Should the 90-day plan submittal model be enacted for Workers Compensation, **private VR providers within Workers Compensation should also be afforded the same opportunity to submit unlimited amount of plan amendments to ensure successful job placement of the injured worker.**

CONCLUSION:

IARP HAWAII CHAPTER also advocates that HRS 386-25 (e) remains written as follows; *“A provider shall file the employee's plan with the approval of the employee. Upon receipt of the plan from the provider, an employee shall have ten days to review and sign the plan. The plan shall be submitted to the employer and the employee and be filed with the director within two days from the date of the employee's signature...”*

I humbly request the Committee to consider this opposition statement. Thank you for the opportunity to provide testimony.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Alejandro". The signature is fluid and cursive, with the first name "Andrew" being more prominent than the last name "Alejandro".

Andrew Alejandro, M.S., CRC
President, IARP HI Chapter

HB-1514-HD-1

Submitted on: 2/24/2026 3:25:15 PM

Testimony for CPC on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Marcia Berkowitz	Individual	Oppose	Written Testimony Only

Comments:

The Committee on Consumer Protection & Commerce:

Object to this measure due to the 90 day timeframe for submission of a VR plan. Please consider there are a number of steps the VRC needs to follow prior to submission of a viable vocational rehabilitation, including vocational testing, research involving the claimants specific limitations (physical and or functional) to assess appropriate goals, labor market research, comparing training options if relevant to claimant, costs to consider, etc.

Having been a VRC for several years, this is an unreasonable stipulation, placing a burden on the VRC and claimant for a rush to plan.

Sincerely, Marcia Berkowitz

Mahalo

HB-1514-HD-1

Submitted on: 2/24/2026 6:03:23 PM

Testimony for CPC on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cathy Wilson	Individual	Support	Written Testimony Only

Comments:

I strongly support the intent of HB 1514 HD1, which clarifies the process for selecting a certified provider of rehabilitation services, requires providers to automatically approve vocational rehabilitation services for an injured employee if those services will likely be required for suitable gainful employment, requires providers to file an employee's vocational plan no later than ninety days after submitting an initial evaluation report, with certain exceptions. It also specifies when a rehabilitation plan is considered received by an employer.

This bill is one of the three workers' comp bills that were originated by the 2024 Workers' Comp Working Group Chaired by Rep. Scot Matayoshi. Our group felt this change in law would improve upon the current workers' compensation process for functional capacity exams.

Thank you for your consideration.

Cathy Wilson

Kirsten H. Yonamine, M.Ed, CRC, LMHC
P.O. Box 4420, Kaneohe, HI 96744
Phone: (808) 751-2667 / Fax: (808) 509-2705
Email: Kirstenyonamine@gmail.com

February 24, 2026

To: The Honorable Representative Scott Z Matayoshi, Chair
The Honorable Representative Tina Nakada Grandinetti, Vice Chair and
Members of the Committee on Consumer Protection & Commerce

Date: Thursday, February 26, 2026
Time: 2:00 p.m.
Place: Conference Room 329, State Capital

RE: HB 1514, HD1 – Relating to Worker’s Compensation

Dear Chair Scott Z. Matayoshi and Vice Chair Tina Nakada Grandinetti:

I am writing in **opposition** to the proposed changes in HB 1514, HD1, specifically regarding any modification to the current timeline for submission of a vocational rehabilitation plan.

As a vocational rehabilitation provider with 33 years of experience, I have seen the physical and psychological impact workplace injuries have had on individuals and their families. Because of this initial rehabilitation services focuses not only on employment planning but counseling services to assist clients in their adjustment to disability. Injured workers are often coping with chronic pain, permanent limitations, anxiety, depression, loss of identity, and financial strain.

A 90 day requirement for plan submission fails to account for the individualized nature of the adjustment process to a “new normal”, especially in cases involving severe injuries. For these reasons, I strongly oppose the proposed changes as noted above and am recommending that HRS 386-25 (e) remain as currently written.

Thank you for this opportunity to submit testimony and your consideration of the above.

Very truly yours,



Kirsten H. Yonamine, M.Ed., CRC, LMHC
Rehabilitation Specialist

cc: File

TO: COMMITTEE ON LABOR
Rep. Scot Z. Matayoshi, Chair
Rep. Tina Nakada Grandinetti, Vice Chair

FROM: Narita San T. Meana, M.S., CRC, CVE, NCC, LMHC
Rehabilitation Specialist

DATE: February 25, 2026

RE: HB1514, HD1 - RELATING TO WORKERS' COMPENSATION HEARING
Date: Thursday, February 26, 2026
Time: 2:00 p.m.
Place: VIA VIDEO CONFERENCE
Conference Room 329, State Capitol, 415 South Beretania Street

I, Narita San T. Meana, M.S., CRC, CVE, NCC, LMHC, a Registered Rehabilitation Specialist to the State of Hawaii's Workers' Compensation Vocational Rehabilitation Program am **in opposition of H.B. 1514 HD1** with respect to the portion of the bill (Lines 10-14) that ***requires the filing of a vocational rehabilitation plan no later than 90-days after submitting an Initial Evaluation Report.***

As presented to the previous Committee, the intent of this bill to improve efficiency and reduce unnecessary delay in workers' compensation cases is understood. Timely movement is important, and Injured Workers should not be left waiting indefinitely for services or decisions. However, in my professional experience, this measure restricts true Client rights and can undermine the quality of vocational rehabilitation services [emphasis].

From a Certified Rehabilitation Provider perspective, it is important to understand that the framework of disability is a dynamic interaction between the person's impairment and their environmental barriers, including their ability to function with limitations while maintaining their livelihood and their family system. The work we provide is **individualized; it is responsive to the unique circumstances of each Injured Worker**. These processes cannot be rushed. Recovery from an industrial injury is rarely linear. Medical stabilization often occurs over many months, and in our experience, years without appropriate medical treatment and care, upfront that are accessible and consistent. Functional capacities may change as treatment progresses, surgeries occur, or complications arise. Vocational planning requires careful coordination with medical providers, therapists, and sometimes educators and training institutions to craft a plan that is both feasible and sustainable over the long term. For many complex cases, it is simply not realistic or responsible to commit to a comprehensive vocational plan within an inflexible 90-day window.

The Department of Labor and Industrial Relations has informed Providers that the department supports ***early intervention*** to assist Injured Workers in securing suitable gainful employment as soon as practicable. Practicable [emphasis] in practice is subject to each individual Injured Worker. If this bill also calls for **Providers to automatically approve vocational rehabilitation services provided that we determine they will likely require vocational rehabilitation services to return to suitable gainful employment**, then it would be in the best interest of the Client to develop a plan that will allow for vocational discretion and case-specific planning and decision-making.

In many cases, referrals are made to meet the ***early intervention intent***. From the Provider perspective, not all Injured Workers are ready to return-to-work at referral--many are receiving concurrent medical treatment, may not be not medically stable, and may not be in a physical and/or psychological position to formulate a plan in 90-days. However, if at referral there is a likelihood that they will need these services, then ***early intervention*** to help with adjustment to disability and exploring work options are appropriate with anticipation that services may lead to better outcomes. Providers reliance on Injured Workers receipt of timely, consistent, and successful medical/physical/psychological rehabilitation are likely to thrive in the vocational rehabilitation program.

§12-14-4.1 *Progress reports required subsequent to the initial evaluation and prior to the plan and §386-25(q) Vocational rehabilitation services for the purpose of developing a vocational rehabilitation plan may be approved by the director and the director may periodically review progress in each case are already in place for Providers to submit progress reports to Employers that include provision of time frames for delivery of services. The 90-day measure would create an administrative impasse between Employee, Provider, and Employer if there is no agreement reached, creating more administrative work for all parties, including to the VR Unit to oversee these issues.*

In addition, the vocational planning model under current statute and administrative rules do not allow for uncapped amendments, modifications or revisions to the plan (§12-14-7, *Revision or modification to an approved vocational rehabilitation plan. A revision or modification to an approved plan shall be filed with the director for approval pursuant to sections 12-14-5 and 12-14-10*). Should a Federal/State vocational planning model be introduced under the Worker's Compensation Vocational Rehabilitation Program, then Private VR Providers should be afforded the same administrative allowance to submit unlimited amendments, modifications or revisions.

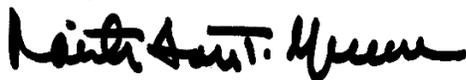
While timely progress and accountability are vital, **vocational rehabilitation must remain individualized and responsive to the unique circumstances of each Injured Worker**. Flexibility is not a lack of discipline--it is a professional necessity to ensure safe, durable, and sustainable return-to-work outcomes.

I respectfully urge the Committee to exclude any deadline specific to filing a vocational plan as part of this bill. Providers who directly work face-to-face with Injured Workers should have vocational discretion and case-specific planning and decision-making flexibility. Rehabilitation success depends not just on timeliness but on the appropriateness and integrity of the planning process.

Henceforth, I continue to advocate that HRS 386-25 (5)(e) remains written as follows; "A provider shall file the employee's plan with the approval of the employee. Upon receipt of the plan from the provider, an employee shall have ten days to review and sign the plan. The plan shall be submitted to the employer and the employee and be filed with the director within two days from the date of the employee's signature..."

I respectfully request this Committee to consider this opposition statement. Thank you for the opportunity to testify.

Sincerely,

A handwritten signature in black ink that reads "Narita San T. Meana". The signature is written in a cursive, flowing style.

Narita San T. Meana, M.S., CRC, CVE, NCC, LMHC
Rehabilitation Specialist

HB-1514-HD-1

Submitted on: 2/25/2026 11:27:08 AM

Testimony for CPC on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Matthew Tarr	Individual	Oppose	Written Testimony Only

Comments:

I am opposed to the client being placed into 90 day time frame after initial evaluation. As an injured worker, it seems almost impossible to have a plan completed in such limited time. Especially if your injury and restrictions require a complete new career choice and schooling. Your consideration for this would be appreciated!

HB-1514-HD-1

Submitted on: 2/25/2026 11:49:54 AM

Testimony for CPC on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Faith Lebb	Individual	Oppose	Written Testimony Only

Comments:

Please consider the testimony submitted by my professional organizations: International Asso of Rehabilitation Professional and Rehabiltilation Association of Hawaii and reject this bill.

Placing timeline restrictions only discriminates against the most injured/disabled worker.

Thank you for your consideration.

LATE

HB-1514-HD-1

Submitted on: 2/25/2026 8:16:08 PM

Testimony for CPC on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Joesph F. Zuiker, Esq.	Individual	Oppose	Written Testimony Only

Comments:

Strongly oppose unless amended to allow for exceptions to the 90 day rule. Although 90 days may be appropriate for simpler injuries 90 days will not always allow for the creation of an appropriate plan.

Amend to allow the exception or bring it back next year.

LATE

HB-1514-HD-1

Submitted on: 2/26/2026 2:53:36 AM

Testimony for CPC on 2/26/2026 2:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Blaine De Ramos	Individual	Oppose	Written Testimony Only

Comments:

I strongly oppose HB1514. The whole work comp system needs a major overhaul. The system is designed to keep the injured person out of work so the doctors and pharmaceutical companies have a steady flow of income. All the while the injured suffer from receiving 66% of their normal wages, loss of contributions to pensions and a decline in quality of life leading to serious depression and suicidal thoughts. 30 days is not a lot of time for an injured worker to make an educated decision on choice of vocational rehabilitation.