

Honolulu, Hawaii

MAR 06 , 2026

RE: H.B. No. 1515
H.D. 2

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madame:

Your Committee on Consumer Protection & Commerce, to which
was referred H.B. No. 1515, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize an injured employee's attending physician to request and refer the employee for a functional capacity examination by a qualified health care provider, without first obtaining permission from the employer, in order to assess the injured employee's ability to return to work; and
- (2) Include licensed occupational therapists and physical therapists among the health care providers who can be deemed qualified to perform functional capacity examinations.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations; Department of Human Resources Development; American Property Casualty Insurance Association; Hawaii Insurers Council; Work Injury Medical Association of Hawaii; and two individuals. Your



Committee received testimony in opposition to this measure from the Society for Human Resources Management - Hawaii.

Your Committee finds that functional capacity examinations use a series of standardized tests to evaluate an individual's ability to perform work-related tasks. The results help determine whether an employee can return to work with or without accommodation and may also guide employers in identifying job duties the employee should avoid while recovering. These guidelines help prevent re-injury and support an injured worker's safe and timely return to full-duty work once medically able.

Your Committee further finds that under existing practices, functional capacity examinations are often delayed due to denials or pending approvals from insurers or adjusters. These delays exacerbate financial and emotional strain on workers, increase administrative inefficiencies, and impede the progress of vocational rehabilitation programs. This measure remedies these issues by streamlining the approval process for functional capacity examinations.

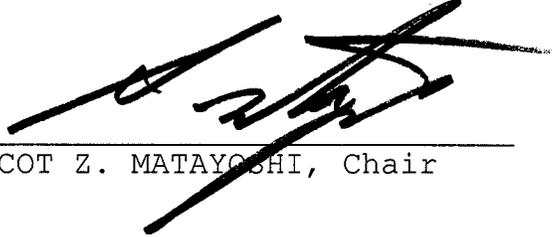
Your Committee has amended this measure by:

- (1) Clarifying the definition of "health care provider" for purposes of the Workers' Compensation Law; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1515, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1515, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



SCOT Z. MATAYOSHI, Chair



