

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

March 23, 2026

To: The Honorable Brandon J.C. Elefante, Chair,  
The Honorable Rachele Lamosao, Vice Chair, and  
Members of the Senate Committee on Labor and Technology

Date: Monday, March 23, 2026  
Time: 3:01 p.m.  
Place: Conference Room 225, State Capitol

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

**Re: H.B. 1514 H.D.2 RELATING TO WORKERS' COMPENSATION**

**I. OVERVIEW OF PROPOSED LEGISLATION**

The **DLIR supports** the HD2 of this measure to ensure efficient and effective rehabilitation of employees who suffer a work-related injury.

HB1514 HD2 proposes to amend HRS §386-25 by:

- Clarifying the process for selecting a certified provider of vocational rehabilitation services,
- Requiring a certified provider to automatically approve an injured employee for vocational rehabilitation services if the certified provider determines that the injured employee will likely require vocational rehabilitation services to return to suitable gainful employment and the initial evaluation report finds the injured employee feasible to participate,
- Requiring providers to file an employee's vocational rehabilitation plan no later than one hundred twenty days after submitting an initial evaluation report, unless extended by the Director of Labor and Industrial Relations, and
- Clarifying the process for an employer to object to a vocational rehabilitation plan.

**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** this measure's emphasis on early intervention to ensure efficient and cost-effective vocational rehabilitation processes that help injured employees return to work as quickly as possible. This measure improves clarity, strengthens timelines, and ensures timely access to certified vocational rehabilitation providers. By streamlining provider selection and initiating services promptly, the bill enhances outcomes for injured workers while reducing delays and costs within the workers' compensation system.

**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  
**SENATE COMMITTEE ON LABOR AND TECHNOLOGY**  
Monday, March 23, 2026  
3:01PM  
State Capitol, Conference Room 225

In consideration of  
**HB1514 HD2, RELATING TO WORKERS' COMPENSATION**

Chair Elefante, Vice Chair Lamosao, and members of the committee:

The Department of Human Resources Development (HRD) is in **support** of HB1514 HD2. The purpose of HB1514 HD2 is to:

- Clarify the process for selecting a certified provider of rehabilitation services.
- Require certified providers to automatically approve vocational rehabilitation services for an injured employee if those services will likely be required for suitable gainful employment and the initial evaluation report finds the injured employee feasible to participate.
- Require providers to file an employee's vocational plan no later than one hundred twenty days after submitting an initial evaluation report, unless extended by the Director of Labor and Industrial Relations.
- Clarify the process for an employer to object to a vocational rehabilitation plan.

The State of Hawai'i is a self-insured employer and appreciates the intent of the measure which focuses on ensuring an injured employee's enrollment and participation in vocational rehabilitation is conducted timely, while clarifying referrals to a vocational rehabilitation specialists while affirming responsibilities of the director, the injured worker, the vocational rehabilitation specialist, and the employer.

We are available to answer any questions or provide further information as needed.

## TESTIMONY OF MILIA LEONG

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COMMITTEE ON LABOR AND TECHNOLOGY  
Senator Brandon J.C. Elefante, Chair  
Senator Rachele Lamosao, Vice Chair

Monday, March 23, 2026  
3:01 p.m.

### **HB 1514, HD2**

Chair Elefante, Vice Chair Lamosao, and members of the Committee on Labor and Technology, 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.

We **support** this bill with one amendment. We ask that the provision for the Vocational Rehabilitation Plan to be submitted within 120 days, be deleted from this bill. This provision was not agreed to in the Workers' Compensation Working Group which comprised many stakeholders in the system. Given the limited staff and resources of the Department as well as consideration for the injured workers, insurers, and Vocational Rehabilitation Counselors, a deadline for the Plan would trigger a need to reopen the entire discussion.

Thank you for the opportunity to testify.



The Senate Committee on Labor and Technology

March 23, 2026

Room 225

3:01 PM

RE: **HB 1514 HD2, Relating to Workers' Compensation**

Attention: Chair Brandon J.C. Elefante, Vice Chair Rachele Lamosao, Members of the Committee

The University of Hawaii Professional Assembly (UHPA), the exclusive bargaining representative for all University of Hawai'i faculty members across Hawai'i's statewide 10-campus system, **supports HB 1514 HD2.**

We believe this measure is essential to updating the vocational rehabilitation process to ensure that injured faculty members can return to their careers as efficiently and safely as possible.

UHPA specifically supports the bill's emphasis on early intervention, the streamlining of approval processes, and the establishment of clear accountability timelines. By requiring providers to automatically approve necessary services when specific criteria are met, this legislation removes bureaucratic hurdles that often leave injured workers in limbo. Furthermore, requiring providers to file a comprehensive vocational plan no later than 120 days after submitting an initial evaluation report ensures that rehabilitation does not stall indefinitely. These deadlines are critical for preventing administrative delays that impede a faculty member's recovery and return to work.

**UHPA supports the passage of HB 1514 HD2.**

Respectfully submitted,

Christian L. Fern  
Executive Director  
University of Hawaii Professional Assembly

University of Hawaii  
Professional Assembly

1017 Palm Drive ♦ Honolulu, Hawaii 96814-1928  
Telephone: (808) 593-2157 ♦ Facsimile: (808) 593-2160  
Website: [www.uhpa.org](http://www.uhpa.org)



## Hawaii Medical Association

1360 South Beretania Street, Suite 200 • Honolulu, Hawaii 96814  
Phone: 808.536.7702 • Fax: 808.528.2376 • hawaiimedicalassociation.org

### SENATE COMMITTEE ON LABOR AND TECHNOLOGY

Senator Brandon J.C. Elefante, Chair  
Senator Rachele Lamosao, Vice Chair

Date: Mar 23, 2026

From: Hawaii Medical Association (HMA)

Elizabeth Ann Ignacio MD - Chair, HMA Public Policy Committee

Christina Marzo MD and Robert Carlisle MD, Vice Chairs, HMA Public Policy Committee

**RE HB1514 HD2** RELATING TO WORKERS' COMPENSATION. Workers' Compensation; Vocational Rehabilitation Services; Certified Providers; Automatic Approval

**Position: Support**

This measure would clarify the process for selecting a certified provider of vocational rehabilitation services, require certified providers to automatically approve vocational rehabilitation services for an injured employee if those services will likely be required for suitable gainful employment and the initial evaluation report finds the injured employee feasible to participate, require providers to file an employee's vocational rehabilitation plan no later than one hundred twenty days after submitting an initial evaluation report, unless extended by the Director of Labor and Industrial Relations, and clarify the process for an employer to object to a vocational rehabilitation plan. Effective 7/1/3000. (HD2)

Patients with work-related injury or illness need prompt evaluation, diagnosis and treatment. Timely access to a VR program, typically provided by an Occupational Therapist as part of a public or private VR agency, is necessary to support the patient's recovery and safe return to gainful employment to the best of their abilities. HMA supports this measure that clarifies the process for VR services following Initial Evaluation, allowing automatic approval for these needed, time-sensitive services that support Hawaii patients with work related illness or injury.

Thank you for allowing the Hawaii Medical Association to testify in support of this measure.

#### 2026 Hawaii Medical Association Public Policy Coordination Team

Elizabeth A Ignacio, MD, Chair • Robert Carlisle, MD, Vice Chair • Christina Marzo, MD, Vice Chair  
Linda Rosehill, JD, Government Relations • Marc Alexander, Executive Director

#### 2026 Hawaii Medical Association Officers

Nadine Tenn-Salle, MD, President • Jerald Garcia, MD, President Elect • Elizabeth Ann Ignacio, MD, • Immediate Past President  
Laeton Pang, MD, Treasurer • Thomas Kosasa, MD, Secretary • Marc Alexander, Executive Director

## REFERENCES AND QUICK LINKS

State of Hawaii. [Disability Compensation Division](#). About Workers' Compensation (WC). Accessed February 4, 2026.

Yorton S. Lawmaker Posts Rare Win For Injured Workers — And Pushes For More. [Honolulu Civil Beat. July 31 2024](#). Accessed February 4, 2026.

Matayoshi CC. How to get worker's comp for work-related injury, illness. KHON.com. Apr 8 2024. Accessed February 4, 2026.

U.S. Department of Interior. Office of the Secretary. Return to work (limited light duty, alternative work assignments and modified permanent job offers) handbook. April 18 2023. Accessed February 4, 2026.

### **2024 Hawaii Medical Association Officers**

Elizabeth Ann Ignacio, MD, President • Nadine Tenn-Salle, MD, President Elect • Angela Pratt, MD, Immediate Past President  
Jerris Hedges, MD, Treasurer • Thomas Kosasa, MD, Secretary • Marc Alexander, Executive Director

### **2024 Hawaii Medical Association Public Policy Coordination Team**

Beth England, MD, Chair  
Linda Rosehill, JD, Government Relations • Marc Alexander, Executive Director

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

**TO: COMMITTEE ON LABOR AND TECHNOLOGY**  
**Senator Brandon J.C. Elefante, Chair**  
**Senator Rachele Lamosao, Vice Chair**

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

DATE: MARCH 22, 2026

RE: HB1514 HD2 - RELATING TO WORKERS' COMPENSATION HEARING  
Date: MARCH 23, 2026  
TIME: 3:01PM  
State Capitol – Conference Room 225 & Videoconference

The International Association of Rehabilitation Professionals, Hawaii Chapter **opposes** the following revisions to HB 1514 HD2:

1. ~~(e)~~(f) *A provider shall file the employee's vocational rehabilitation plan with the approval of the employee[.] **no later than one hundred twenty days after the provider submits an initial evaluation report; provided that the director may provide an extension in the director's discretion.** Upon receipt of the vocational rehabilitation plan from the provider, an employee shall have ten days to review and sign the vocational rehabilitation plan. The vocational rehabilitation 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 02/26/2026, 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.

Although IARP HI humbly acknowledges the attempt at reaching a compromise for plan submittal date, through the addition of 30 days to the initial 90-day proposed plan submittal date post initial evaluation; as a Certified Rehabilitation Counselor (CRC), we are bound by the Code of Professional Ethics for Certified Rehabilitation Counselors 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. As such, it is irresponsible to assume that all injured workers will be “plan-ready” within a 120-day period after initial evaluation. The *uniqueness of disability* needs is 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.” A rehabilitation is not only a road map of service provision for return-to-work, but more so, a way to which the Client may obtain independence outside of the workers compensation system, while navigating the myriads of emotions and trauma obtained through their life-altering work injury.

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 120-day plan creation period, a VR plan cannot be submitted and still remain compliant with the plan submittal timeline, as proposed, or with HRS 386-25’s requirement to confirm return-to-work options 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 120-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.

**CONCLUSION:**

IARP HAWAII CHAPTER 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 statement of opposition to HB 1514 HD2. Thank you for the opportunity to provide testimony.

Sincerely,

A handwritten signature in black ink, appearing to read "Andrew Alejandro".

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



**MAUI**  
CHAMBER OF COMMERCE  
VOICE OF BUSINESS

**LATE**

**HEARING BEFORE THE SENATE COMMITTEE ON LABOR & TECHNOLOGY  
HAWAII STATE CAPITOL, SENATE CONFERENCE ROOM 225  
MONDAY, MARCH 23, 2026 AT 3:01 P.M.**

To The Honorable Senator Brandon J.C. Elefante, Chair  
The Honorable Senator Rachele Lamosao, Vice Chair  
Members of the Committee on Labor & Technology

**OPPOSE HB1514 HD2 RELATING TO WORKERS' COMPENSATION**

The Maui Chamber of Commerce respectfully opposes HB1514 HD2.

While we appreciate the intent of this measure to streamline vocational rehabilitation services and support injured workers in returning to gainful employment, we are concerned about this bill as written. Requiring automatic approval of vocational rehabilitation services whenever they are deemed "likely" to be necessary significantly limits an employer's ability to meaningfully review, assess, and coordinate those services.

In situations of workplace injuries, employers often collaborate with insurers, third-party administrators, and legal counsel to evaluate rehabilitation plans. This process helps ensure that services are appropriate, cost-effective, and aligned with statutory requirements. Mandating automatic approval removes important checks and balances and reduces the collaborative nature of what should be a thoughtful and coordinated process.

Additionally, the imposition of rigid deadlines for filing vocational rehabilitation plans and defining receipt timelines may create unintended compliance challenges without necessarily improving outcomes for injured workers. Each case presents unique circumstances, and a one-size-fits-all framework does not adequately reflect the complexities involved in workforce rehabilitation.

Mahalo for the opportunity to share our concerns on HB1514 HD2. We ask that you defer this bill.

Sincerely,

Pamela Tumpap  
President

To advance and promote a healthy economic environment for business, advocating for a responsive government and quality education, while preserving Maui's unique community characteristics.

**HB-1514-HD-2**

Submitted on: 3/20/2026 2:54:11 PM

Testimony for LBT on 3/23/2026 3:01:00 PM

| <b>Submitted By</b> | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>    |
|---------------------|---------------------|---------------------------|-------------------|
| Nancy Monden        | Individual          | Oppose                    | Remotely Via Zoom |

Comments:

I suffered a work-related stress injury and was referred to vocational rehabilitation within a year. At that time, I was severely depressed and experiencing suicidal thoughts. My treating psychologist believed vocational rehabilitation might help me begin to look toward the future.

However, I was in no condition to focus on a new career. I loved my job as a nurse case manager, helping injured workers navigate their recovery. The idea of changing careers was overwhelming. With the support of my psychologist and vocational rehabilitation counselor, it took over a year before I could even begin to accept that I might need a different path. Even then, I remained unsure.

When I first met with my vocational rehabilitation counselor, I was anxious and fearful. Building trust took time—far longer than three months. The early phase involved testing and trying to identify my interests, but my depression slowed my ability to process information and make decisions. This is not a quick or mechanical process. It requires time, trust, and emotional readiness.

Vocational rehabilitation helped me begin to believe that not all was lost—that I might still find meaningful work. But that progress did not happen within a rigid timeline.

I share a personal example. My father was a carpenter whose hand was severely injured by a skill saw. He could no longer hold a hammer the same way, and even writing his name became difficult. His recovery and return to work did not happen in a day—or even within a short, fixed period. It took time, adjustment, and support.

Every injured worker’s situation is unique. Recovery is not just physical—it is psychological and social. The proposed 90-day limitation fails to account for this reality. People are not robots. We experience grief, loss, fear, and uncertainty when we lose our careers.

During my own journey, my psychologist retired, and my employer blocked further medical care. For two to three years, my vocational rehabilitation counselor was the only person I could speak with. While my counselor provided support, they are not a psychologist and could not address my mental health needs. I needed both—vocational guidance and psychological care.

My vocational rehabilitation specialist submitted plans for my retraining, but decisions were delayed because the employer objected. I was forced to go to a hearing just to continue

vocational rehabilitation. Even after that, another plan was submitted and again stalled, requiring yet another hearing.

If my plan had been approved from the beginning, I would have completed my one-year training program and likely returned to work by now. Instead, I remain in limbo—still trying to obtain approval for training and rebuild my life.

Rigid timelines do not reflect the reality of recovery. Injured workers need individualized, flexible support that considers their psychological, physical, and social wellbeing

TO: COMMITTEE ON LABOR AND TECHNOLOGY  
Rep. Brandon J.C. Elefante, Chair  
Rep. Rachel Lamosao, Vice Chair

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

DATE: March 22, 2026

RE: HB1514, HD2 - RELATING TO WORKERS' COMPENSATION HEARING  
Date: Monday, March 23, 2026  
Time: 3:01PM  
Place: Conference Room 225 & VIDEO CONFERENCE  
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 HD2** with respect to the portion of the bill (Lines 17-21) that *requires the filing of a rehabilitation plan no later than 120-days after submitting an Initial Evaluation Report.*

**COMMENTS:**

The intent of this bill to improve efficiency and reduce delays in workers' compensation cases is understood, and timely movement so Injured Workers are not left waiting indefinitely is important. However, in my professional experience, this measure restricts true Client rights and can undermine the quality of vocational rehabilitation services.

The bill's 120-day provision does not necessarily improve administrative efficiency or reduce delays. Vocational Rehabilitation (VR) and medical practice are related but distinct. VR is a process that helps people with disabilities or health conditions prepare for, obtain, keep, or return to suitable gainful employment, and this distinction is essential for policymakers to understand. VR is not medical practice; it involves services such as vocational and career assessment, job matching, work trials, job coaching, workplace accommodations, training and education, and counseling about work and disability.

Successful VR outcomes depend on Injured Workers receiving timely, consistent, and effective medical, physical, and psychological care. Early referrals promote intervention, but many Injured Workers are not ready for return-to-work planning at that point due to medical instability or ongoing treatment. Early intervention is valuable for adjustment to disability and career exploration, but a fixed 120-day timeline is impractical given the wide range of disabilities and recovery trajectories.

The following comments were made in previous testimony to the original and revisions of this bill:

- Disability reflects a dynamic interaction between an individual's impairment, environmental barriers, and their functional ability to maintain livelihood and support their family.
- Services must be individualized and coordinated with medical providers, therapists, and education/training institutions; recovery is rarely linear, medical stabilization can take months or longer, and functional capacities may change with treatment, surgery, or complications.
- Strict 120-day timelines are not realistic for complex cases, may compromise responsible vocational planning, and conflict with the DLIR's case-by-case early intervention approach and Providers' need for vocational discretion.
- Existing regulations (§12-14-4.1 and §386-25(q)) already require progress reports and service time frames, while current statutes (§12-14-7) limit plan amendments; if Federal/State VR models allow uncapped amendments, Private VR Providers should receive comparable flexibility within the Workers' Compensation system.

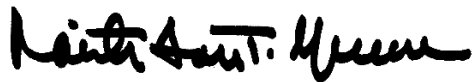
Imposing a 120-day requirement would create administrative conflicts among Employees, Providers, and Employers, increasing workload and oversight, especially at the DCD level. The added language allowing extensions at the director's discretion would further complicate administration and undermines the bill's intent to improve efficiency and reduce delays in workers' compensation cases.

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 tied to filing a vocational plan from this bill. Providers who work directly with Injured Workers need vocational discretion and case-specific flexibility in planning and decision-making. Rehabilitation success depends not only on timeliness but on the appropriateness and integrity of the planning process.

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