

## ACT 18

S.B. NO. 2050

A Bill for an Act Relating to Vocational Rehabilitation in Workers' Compensation Law.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 386-25, Hawaii Revised Statutes, is amended by amending subsection (e) to read as follows:

“(e) 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. 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 [~~a different~~] 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;

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- (4) Then providing training to obtain employment in another occupational field.”

SECTION 2. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 3. This Act shall take effect on July 1, 2010.

(Approved April 13, 2010.)