

STAND. COM. REP. NO. **1057**

Honolulu, Hawaii

MAR 25 2015

RE: H.B. No. 1268
H.D. 2
S.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 1268, H.D. 2, 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) Exclude injured public employees who have retired from a public employer with whom they sustained a work injury from receiving vocational rehabilitation services; and
- (2) Require that injured public employees who are eligible for a return to work program, participate in and complete a return to work program as a prerequisite to receiving vocational rehabilitation benefits.

Your Committee received testimony in support of this measure from the Department of Labor and Industrial Relations, Department of Education, Department of Human Services, City and County of Honolulu Department of Human Resources, and Hawaii Health Systems Corporation.

Your Committee finds that this measure seeks to control costs and expedite the return to work process for injured employees. Hawaii's public employers' return to work programs prioritize the return of program participants to their usual or customary employment once they are cleared to return to work but also allow



for placement of participants in temporary light duty positions with the same employer during recovery and give participants priority over all other applicants for certain vacant positions. Private vocational rehabilitations programs may not necessarily prioritize the employees' return to work with the same employer and may bypass the benefits of participation in the public employers' return to work programs.

Your Committee has amended this measure by inserting an effective date of January 7, 2059, to encourage further discussion on this measure.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1268, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1268, H.D. 2, S.D. 1, and be referred to the Committee on Ways and Means.

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


GILBERT S.C. KEITH-AGARAN, Chair



