
A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 2. Section 386-27, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:

3 "(b) To remain a qualified provider under this chapter a
4 health care provider shall:

5 (1) Comply with guidelines established by the director on
6 the frequency of treatment and reasonable utilization
7 of health care and services;

8 (2) Conform to limitations established by the director for
9 charges on services under medical fee and other fee
10 schedules;

11 (3) File timely reports required under section 386-96;

12 (4) Avoid unnecessary and unreasonable referrals of
13 injured employees to other health care providers;

14 (5) Refrain from ordering unnecessary and unreasonable
15 diagnostic tests and studies;

16 (6) Refrain from referring injured employees to a non-
17 diagnostic or rehabilitative services corporation or
18 other business entity in which the referring health



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1 care provider who, through a familial relationship
 2 within the second degree of consanguinity of affinity
 3 or for other reasons, had a direct and substantial
 4 professional, financial, or personal interest;
 5 provided that this paragraph shall not apply to
 6 referrals made by health care providers within a
 7 health maintenance organization established pursuant
 8 to chapter 432D;

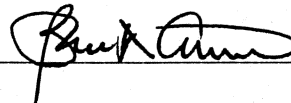
9 ~~(6)~~ (7) Remain available as a treating health care
 10 provider to injured employees and as an advisor to the
 11 director in proceedings under this section; and

12 ~~(7)~~ (8) Comply with all requirements established under
 13 this chapter and by rules and decisions adopted and
 14 issued by the director pursuant to this chapter."

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 Statutory material to be repealed is bracketed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

17 SECTION 3. This Act shall take effect upon its approval.

18 INTRODUCED BY:



JAN 17 2006



HB 1828

Report Title:

Workers' Compensation; Patient Referrals; Restrictions

Description:

Prohibits a health care provider from referring a workers' compensation claimant to a non-diagnostic treatment or rehabilitative service corporation or other business entity in which the referring health care provider owns a proprietary interest. Exempts referrals made by health care providers employed by health maintenance organizations from the prohibition.

