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# A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

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

1           SECTION 1. (a) There is established a working group on  
2 funding for workers' compensation independent medical  
3 examinations, to be placed under the department of labor and  
4 industrial relations for administrative purposes.

5           (b) The purpose of the working group on funding for  
6 workers' compensation independent medical examinations shall be  
7 to study and determine the alternative methods or combination of  
8 methods of paying impartial physicians to conduct medical  
9 examinations pursuant to section 386-80, Hawaii Revised  
10 Statutes. The study shall be undertaken with a view toward  
11 providing equity and fairness in funding independent medical  
12 examinations, so that the employer, employer's insurer, special  
13 compensation fund, and state general fund are not  
14 disproportionately burdened or otherwise disadvantaged in paying  
15 for the examinations.

16           (c) The working group on funding for workers' compensation  
17 independent medical examinations shall be composed of one



1 representative from each of the following entities, to be  
2 selected by that entity:

- 3 (1) Department of labor and industrial relations;
  - 4 (2) Department of human resources development;
  - 5 (3) Hawaii Government Employees Association;
  - 6 (4) United Public Workers Local 646;
  - 7 (5) ILWU Local 142;
  - 8 (6) The Chamber of Commerce of Hawaii;
  - 9 (7) American Insurance Association;
  - 10 (8) Hawaii Insurers Council;
  - 11 (9) American Physical Therapy Association;
  - 12 (10) Hawaii State Chiropractic Association;
  - 13 (11) Hawaii Medical Association;
  - 14 (12) Hawaii State Bar Association; and
  - 15 (13) Hawaiian Electric Company, Incorporated.
- 16 (d) The department of labor and industrial relations shall  
17 have the responsibility to convene the meetings of the working  
18 group on funding for independent medical examinations, and to  
19 make the report under subsection (e).
- 20 (e) Members of the working group on funding for workers'  
21 compensation independent medical examinations shall receive no  
22 compensation for their services, but may be reimbursed for



1 travel costs necessary for the performance of their duties under  
2 this Act.

3 (f) The working group on funding for workers' compensation  
4 independent medical examinations shall report its findings and  
5 recommendations, including suggested legislation, to the  
6 legislature no later than twenty days prior to the convening of  
7 the regular session of 2009.

8 (g) The working group on funding for workers' compensation  
9 independent medical examinations shall cease to exist on May 15,  
10 2009.

11 SECTION 2. This Act shall take effect upon its approval.



**Report Title:**

Workers' Compensation; IME Working Group

**Description:**

Establishes a working group on funding for workers' compensation independent medical examinations to determine how best to fund independent medical examinations. (SD1)

