
A BILL FOR AN ACT

RELATING TO MEDICAL AND REHABILITATION BENEFITS.

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

1 SECTION 1. Section 386-21, Hawaii Revised Statutes, is
2 amended by amending subsection (b) to read as follows:
3 "(b) Whenever medical care is needed, the injured employee
4 may select any physician or surgeon who is practicing on the
5 island where the injury was incurred to render medical care.
6 The physician or surgeon may conduct diagnostic testing or
7 engage in a one-time consultation with a board-certified or
8 licensed specialist to obtain a subspecialty diagnostic
9 evaluation and treatment recommendation; provided that the
10 request for, or provision of the diagnostic services may not be
11 contested by an insurer or employer. If the services of a
12 specialist are indicated, the employee may select any physician
13 or surgeon practicing in the State. The director may authorize
14 the selection of a specialist practicing outside the State where
15 no comparable medical attendance within the State is available.
16 Upon procuring the services of a physician or surgeon, the
17 injured employee shall give proper notice of the employee's
18 selection to the employer within a reasonable time after the



1 beginning of the treatment. If for any reason during the period
2 when medical care is needed, the employee wishes to change to
3 another physician or surgeon, the employee may do so in
4 accordance with rules prescribed by the director. If the
5 employee is unable to select a physician or surgeon and the
6 emergency nature of the injury requires immediate medical
7 attendance, or if the employee does not desire to select a
8 physician or surgeon and so advises the employer, the employer
9 shall select the physician or surgeon. The selection, however,
10 shall not deprive the employee of the employee's right of
11 subsequently selecting a physician or surgeon for continuance of
12 needed medical care."

13 SECTION 2. New statutory material is underscored.

14 SECTION 3. This Act shall take effect on July 1, 2020.



Report Title:

Medical and Rehabilitation Benefits; Workers Compensation

Description:

Clarifies that for workers compensation purposes, a physician or surgeon may conduct diagnostic testing or engage in a one-time consultation with a board certified or licensed specialist to obtain a subspecialty diagnostic evaluation and treatment recommendation. Effective July 1, 2020. (HB2637 HD1)

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