
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 for a subspecialty diagnostic
8 evaluation and treatment recommendations from a board certified
9 or licensed specialist; and the request for or provision of such
10 diagnostic services shall not be subject to contest by an
11 insurer or employer. If the services of a specialist are
12 indicated, the employee may select any physician or surgeon
13 practicing in the State. The director may authorize the
14 selection of a specialist practicing outside the State where no
15 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 upon its approval.

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INTRODUCED BY: BTah

JAN 25 2010



Report Title:

Medical and Rehabilitation Benefits

Description:

Clarifies that a physician or surgeon may conduct diagnostic testing or engage in a one-time consultation for a subspecialty diagnostic evaluation and treatment recommendations from a board certified or licensed specialist.

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