
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 make
7 no more than one referral to a board-certified or licensed
8 specialist for one subspecialty consultation for diagnostic
9 evaluation and treatment recommendations. The request for or
10 provision of the diagnostic evaluation and treatment
11 recommendations shall not be subject to contest by an insurer or
12 employer; provided that the one-time consultation may be made
13 regardless of whether the board-certified or licensed specialist
14 is on the staff of or affiliated with a medical facility in
15 which the physician has a financial interest. If the physician
16 or surgeon makes the one-time referral allowed under this
17 section to a board-certified or licensed specialist for a
18 subspecialty consultation, the physician or surgeon shall notify



1 the department and employer. If the services of a specialist
2 are indicated, the employee may select any physician or surgeon
3 practicing in the State. The director may authorize the
4 selection of a specialist practicing outside the State where no
5 comparable medical attendance within the State is available.
6 Upon procuring the services of a physician or surgeon, the
7 injured employee shall give proper notice of the employee's
8 selection to the employer within a reasonable time after the
9 beginning of the treatment. If for any reason during the period
10 when medical care is needed, the employee wishes to change to
11 another physician or surgeon, the employee may do so in
12 accordance with rules prescribed by the director. If the
13 employee is unable to select a physician or surgeon and the
14 emergency nature of the injury requires immediate medical
15 attendance, or if the employee does not desire to select a
16 physician or surgeon and so advises the employer, the employer
17 shall select the physician or surgeon. The selection, however,
18 shall not deprive the employee of the employee's right of
19 subsequently selecting a physician or surgeon for continuance of
20 needed medical care."

21 SECTION 2. New statutory material is underscored.



1 SECTION 3. This Act shall take effect upon its approval;
2 provided that on June 30, 2014, section 1 of this Act shall be
3 repealed and section 386-21, Hawaii Revised Statutes, shall be
4 reenacted in the form in which it read on the day before the
5 effective date of this Act.



Report Title:

Workers' Compensation; Medical and Rehabilitation Benefits

Description:

Allows an injured employee's physician or surgeon to conduct diagnostic testing or make a total of one referral to a board-certified or licensed specialist for one subspecialty consultation for diagnostic evaluation and treatment recommendations. Sunsets June 30, 2014. (HB463 HD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

