

JAN 21 2011

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# 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 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; provided that the one-time consultation may  
12 be made regardless of whether the board certified or licensed  
13 specialist works in a medical facility in which the physician or  
14 surgeon has a financial interest. If the services of a  
15 specialist are indicated, the employee may select any physician  
16 or surgeon practicing in the State. The director may authorize  
17 the selection of a specialist practicing outside the State where  
18 no comparable medical attendance within the State is available.



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

16 SECTION 2. New statutory material is underscored.

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

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INTRODUCED BY: \_\_\_\_\_



**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. Allows for the one-time consultation to be referred to a board certified or licensed specialist working in a facility in which a physician or surgeon may have a financial interest.

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

