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# A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION TREATMENT PLANS.

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

1           SECTION 1. The legislature finds that Hawaii's current  
2 system for physicians to submit treatment plans in workers'  
3 compensation claims is in need of modernization given  
4 advancements in technology. The legislature further finds that  
5 allowing treatment plans to be faxed or emailed will greatly  
6 improve the efficiency of Hawaii's workers' compensation system.

7           The purpose of this Act is to improve the efficiency of  
8 Hawaii's workers' compensation system by permitting options for  
9 the transmittal of treatment plans, including facsimile and  
10 electronic means.

11           SECTION 2. Chapter 386, Hawaii Revised Statutes, is  
12 amended by adding a new section to be appropriately designated  
13 and to read as follows:

14           "§386- Treatment plans. (a) A physician may transmit a  
15 treatment plan to an employer by certified mail or facsimile;  
16 provided that a physician shall send a treatment plan to an  
17 address or facsimile number as directed by an employer.



1        (b) Beginning January 1, 2021, an employer shall allow a  
2 physician to transmit a treatment plan to an employer by  
3 certified mail, facsimile, secure web portal, or secure  
4 electronic mail; provided that a physician shall send a  
5 treatment plan to an address, facsimile number, or electronic  
6 mail address as directed by an employer.

7        (c) A treatment plan shall be deemed received by an  
8 employer when the plan is sent by certified mail or facsimile,  
9 or if applicable, secure web portal or secure electronic mail  
10 with reasonable evidence showing that the treatment plan was  
11 received.

12        (d) A treatment plan shall be deemed accepted if an  
13 employer fails to file with the director by certified mail or  
14 facsimile or, if applicable, secure web portal or secure  
15 electronic mail:

- 16        (1) An objection to the treatment plan;  
17        (2) Any applicable documentary evidence supporting the  
18        denial; and  
19        (3) A copy of the denied treatment plan,



1 copying the physician and the injured employee, within seven  
2 business days after the employer's receipt of the treatment  
3 plan.

4 (e) After acceptance of the treatment plan, an employer  
5 may file an objection to the plan if new documentary evidence is  
6 received contrary to the accepted treatment plan."

7 SECTION 3. New statutory material is underscored.

8 SECTION 4. This Act shall take effect on July 1, 2050.

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**Report Title:**

Workers' Compensation; Treatment Plans; Submission; Requirements

**Description:**

Allows physicians to submit workers' compensation treatment plans to employers by certified mail or facsimile. Beginning January 1, 2021, allows physicians to submit workers' compensation treatment plans to employers by certified mail, facsimile, secure web portal, or secure electronic mail. Specifies requirements for receipt and acceptance of treatment plans. Effective 7/1/2050. (SD1)

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

