
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 will greatly improve the
6 efficiency of Hawaii's workers' compensation system. This first
7 step will assist in making the system better while the
8 department of labor and industrial relations completes the
9 studies of the system that were previously requested by the
10 legislature.

11 The purpose of this Act is to improve the efficiency of
12 Hawaii's workers' compensation system by permitting options for
13 the transmittal of treatment plans, including facsimile.

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

17 "§386- Treatment plans. (a) A physician may transmit a
18 treatment plan to an employer by mail or facsimile; provided



1 that the physician shall send the treatment plan to an address
2 or facsimile number provided by the employer.

3 (b) Beginning January 1, 2021, an employer shall allow a
4 physician to transmit a treatment plan to an employer by mail or
5 facsimile; provided that the physician shall send the treatment
6 plan to an address or facsimile number provided by the employer.

7 (c) A treatment plan shall be deemed received by an
8 employer when the plan is sent by mail or facsimile with
9 reasonable evidence showing that the treatment plan was
10 received.

11 (d) A treatment plan shall be deemed accepted if an
12 employer fails to file with the director by mail or facsimile:

13 (1) An objection to the treatment plan;

14 (2) Any applicable documentary evidence supporting the
15 denial; and

16 (3) A copy of the denied treatment plan,
17 copying the physician and the injured employee, within ten
18 business days after the employer's receipt of the treatment
19 plan.



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

4 SECTION 3. New statutory material is underscored.

5 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 mail or facsimile. Beginning January 1, 2021, requires employers to allow physicians to submit workers' compensation treatment plans to employers by mail or facsimile. Specifies requirements for receipt and acceptance of treatment plans. Effective 7/1/2050. (SD2)

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