
A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

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

1 SECTION 1. Chapter 386, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§386- Default in payments of compensation settlement,
5 penalty. If any compensation payable under the terms of a
6 settlement agreement is not paid by a self-insured employer or
7 an insurance carrier within fourteen days after it becomes due,
8 as provided by the settlement agreement, there shall be added to
9 the unpaid compensation an amount equal to twenty per cent
10 thereof payable at the same time as, and in addition to, the
11 compensation, unless the nonpayment is excused by the director
12 after a showing by the employer or insurance carrier that the
13 payment of the compensation could not be made on the date
14 prescribed therefor owing to conditions over which the employer
15 or carrier had no control."

16 SECTION 2. Section 386-80, Hawaii Revised Statutes, is
17 amended to read as follows:



1 "§386-80 Examination by impartial physician. (a) The
2 director of labor and industrial relations may appoint a duly
3 qualified impartial physician to examine the injured employee
4 and to report. The fees for such examination shall be paid from
5 the funds appropriated by the legislature for the use of the
6 department of labor and industrial relations.

7 (b) An injured employee or employer may request that the
8 director of labor and industrial relations appoint a duly
9 qualified impartial physician to examine the injured employee
10 and to report pursuant to subsection (a). Any request made
11 pursuant to this subsection shall be approved or denied within
12 fourteen days. Any request made pursuant to this subsection
13 that is not approved or denied by the director of labor and
14 industrial relations shall be automatically approved on the
15 fifteenth day."

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act does not affect rights and duties that
18 matured, penalties that were incurred, and proceedings that were
19 begun before its effective date.



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1 SECTION 5. This Act shall take effect on July 1, 2015.

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INTRODUCED BY:

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JAN 23 2015



H.B. NO. 653

Report Title:

Workers' Compensation; Independent Medical Examination;
Settlement Agreement

Description:

Requires workers' compensation settlement agreements to be paid within 14 days. Requires that a request for an independent medical examination be approved or denied by the director of labor and industrial relations within 14 days.

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

