
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 the
4 advancement of technology. The legislature further finds that
5 allowing treatment plans to be faxed and 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 accommodating the
9 transmittal of treatment plans through electronic media.

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

13 "§386- Treatment plans. (a) Notwithstanding any other
14 provision to the contrary, whenever a physician is required to
15 mail a treatment plan to the employer, the physician may use
16 facsimile, the Internet, or secure electronic mail to send the
17 treatment plan to the employer.



1 (b) Failure of the employer to file an objection to the
2 treatment plan to the director by facsimile, the Internet, or
3 secure electronic mail, with any applicable documentary evidence
4 supporting the denial and a copy of the denied treatment plan,
5 copying the physician and the injured employee, within seven
6 calendar days after receipt of the treatment plan shall be
7 deemed acceptance of the treatment plan.

8 (c) A treatment plan shall be deemed received by an
9 employer when the plan is sent by facsimile, the Internet, or
10 secure electronic mail with reasonable evidence, including
11 automatic electronic receipt, showing that the treatment plan
12 was received.

13 (d) Employers shall accept electronic submissions of
14 treatment plans and provide an automatic electronic receipt upon
15 such submission."

16 SECTION 3. New statutory material is underscored.

17 SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Workers' Compensation; Treatment Plans; Electronic Submission

Description:

Allows physicians to submit workers' compensation treatment plans to employers by facsimile, the Internet, or secure electronic mail. Requires employers to accept electronically submitted treatment plans and provide an electronic receipt of the submission. (SD1)

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