

JAN 24 2019

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- Payment by employer for compensable injuries.

5 (a) Notwithstanding any law to the contrary, the employer shall
6 pay for all medical services required by the employee related to
7 the compensable injury and the employee's rehabilitation. The
8 employer shall not be required to pay for medical services
9 unrelated to the compensable injury.

10 (b) If the employer elects to controvert the employee's
11 claim for medical services or any portion thereof, the employer
12 shall provide notice of the denial to the health care provider
13 within sixty calendar days of the date that the employer
14 receives the bill from the health care provider. In the event
15 that the employer fails to dispute the employee's claim with the
16 health care provider within the sixty-day period, the employer



1 shall be liable for the services provided, with reasonable
2 evidence showing that the billing was received.

3 (c) The employer shall pay for all charges billed within
4 sixty calendar days of receipt of such charges; except for items
5 where:

6 (1) There is a reasonable disagreement; and

7 (2) The employer has submitted timely notice as required
8 under subsection (b).

9 (d) If more than sixty calendar days has lapsed between
10 the employer's receipt of an undisputed billing and date of
11 payment, payment of the billing shall be increased by one per
12 cent per month of the outstanding balance.

13 (e) In the event of a disagreement, the employer shall pay
14 for all of the charges and notify the health care provider,
15 copying the claimant, of the denial of payment and the reasons
16 for denial within sixty calendar days of receipt of the billing.
17 Additionally, the employer's denial must:

18 (1) Explicitly state that if the health care provider does
19 not agree, the health care provider may file a bill
20 dispute request with the director within sixty



1 calendar days after postmark of the employer's
2 objection;
3 (2) Include a copy of the original bill; and
4 (3) Explicitly state that failure to do so shall be
5 construed as an acceptance of the employer's denial."

6 SECTION 2. New statutory material is underscored.

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

8

INTRODUCED BY: 



S.B. NO. 1412

Report Title:

Workers' Compensation; Compensable Medical Bills; Employer Payment

Description:

Requires an employer to pay for all medical services related to an employee's compensable injury. Provides a process for an employer to dispute the payment of a medical bill.

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

