

ACT 94

H.B. NO. 1944

A Bill for an Act Relating to Workers' Compensation.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this Act is to expedite the diagnosis of, and streamline medical treatment for, serious injuries to the cervical or lumbar spine that could result in paralysis for injuries sustained by an employee while working.

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

“§386- Cervical and lumbar spinal injuries; treatment plan not required. During the first sixty days after an injury, an employee may obtain the following medical care or services without a treatment plan:

- (1) One magnetic resonance imaging of the cervical spine if the employee's attending physician determines that:
 - (A) The employee has objective indicia of radicular symptoms and the radicular symptoms reasonably could be caused by injury to the cervical spine; or
 - (B) The employee has objective traumatic injury or other neurologic symptoms to the cervical spine shown by an x-ray or computed tomography scan;
- (2) One magnetic resonance imaging of the lumbar spine if the employee's attending physician determines that:
 - (A) The employee has objective indicia of radicular symptoms and the radicular symptoms reasonably could be caused by injury to the lumbar spine; or
 - (B) The employee has objective traumatic injury or other neurologic symptoms to the lumbar spine shown by an x-ray or computed tomography scan; and
- (3) One consultation with an orthopedic or neurologic specialist if the employee's attending physician reasonably determines that the opinion or advice of an orthopedic or neurologic specialist should be obtained for the evaluation and treatment of the employee's injury; provided that:
 - (A) The orthopedic or neurologic specialist shall provide written notice of the consultation to the employer within seven days of the consultation; and
 - (B) The orthopedic or neurologic specialist shall provide a written report to the employer within fourteen days of the consultation.”

SECTION 3. New statutory material is underscored.¹

SECTION 4. This Act shall take effect on July 1, 2024.

(Approved June 27, 2024.)

Note

1. Edited pursuant to HRS §23G-16.5.