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# 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 an option  
13 for the transmittal of treatment plans via 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,  
5 facsimile, or secure electronic means; provided that the  
6 physician shall send the treatment plan to an address or  
7 facsimile number provided by the employer.

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

12 (d) A treatment plan shall be deemed accepted if an  
13 employer fails to file with the director:

14 (1) An objection to the treatment plan;

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

17 (3) A copy of the denied treatment plan,  
18 copying the physician and the injured employee.

19 (e) After acceptance of the treatment plan, an employer  
20 may file an objection to the plan if new documentary evidence  
21 supporting the denial is received by the employer."



- 1 SECTION 3. New statutory material is underscored.
- 2 SECTION 4. This Act shall take effect upon its approval.



**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, facsimile, or secure electronic means. Specifies requirements for receipt and acceptance of treatment plans. (HB2017 CD1)

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

