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# A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION.

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

- 1           SECTION 1. Section 386-96, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:
- 3           "(a) Any physician, surgeon, or hospital that has given  
4 any treatment or rendered any service to an injured employee  
5 shall make a report of the injury and treatment on forms  
6 prescribed by and to be obtained from the department as follows:
- 7           (1) Within seven days after the date of first attendance  
8 or service rendered, an initial report shall be made  
9 to the department and to the employer of the injured  
10 employee in the manner prescribed by the department;
- 11           (2) Interim reports to the same parties and in the same  
12 manner as prescribed in paragraph (1) shall be made at  
13 appropriate intervals to verify the claimant's current  
14 diagnosis and prognosis, that the information as to  
15 the nature of the examinations and treatments  
16 performed is complete, including the dates of those  
17 treatments and the results obtained within the current  
18 reporting period, the execution of all tests performed



1           within the current reporting period and the results of  
2           the tests, whether the injured employee is improving,  
3           worsening, or if "medical stabilization" has been  
4           reached, the dates of disability, any work  
5           restrictions, and the return to work date. If an  
6           injured employee's physician, surgeon, or health care  
7           provider reports that the injured employees is able to  
8           perform light, part-time, or restricted work, the  
9           injured employee's employer shall provide the injured  
10          employee with an opportunity to perform the level of  
11          work prescribed. When an injured employee is returned  
12          to full-time, regular, light, part-time, or restricted  
13          work, the attending physician shall submit a report to  
14          the employer within seven calendar days indicating the  
15          date of release to work or medical stabilization; and  
16          (3) A final report to the same parties and in the same  
17          manner as prescribed in paragraph (1) shall be made  
18          within seven days after termination of treatment.  
19          No physician, surgeon, or hospital that has given any treatment  
20          or rendered any service to an injured employee shall be required  
21          to provide any additional reports not otherwise mandated by this  
22          section."



# H.B. NO. 2699

1 SECTION 2. New statutory material is underscored.

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

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JAN 24 2006



HB 2699

**Report Title:**

Workers' Compensation; Return to Work

**Description:**

Requires an employer of an injured employee who is cleared to return to light or reduced duty work to provide that level of work to the injured employee.

