

Honolulu, Hawaii

MAY 01 , 2026

RE: H.B. No. 1509
H.D. 2
S.D. 1
C.D. 1

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the House of Representatives to the amendments proposed by the Senate in H.B. No. 1509, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose and intent of this measure is to:

- (1) Repeal the authorization of a physician to transmit a treatment plan by mail or facsimile and the requirement that the physician submit the plan to an address or facsimile number provided by the employer;
- (2) Require employers denying a treatment plan to file a written denial within seven days of receipt;



- (3) Place the burden of proof on the employer to establish by a preponderance of medical evidence that the denial of the treatment plan is justified;
- (4) Establish a presumption that a denial of a treatment plan not supported by a medical opinion or relevant medical records existing at the time of denial shall be presumed to be without reasonable grounds;
- (5) Clarify that a treatment plan is deemed accepted if an employer fails to file a written denial within the seven-day period;
- (6) Require employers to pay the appropriate health care provider for any medical care set forth in a treatment plan that is accepted or deemed accepted; and
- (7) Establish penalties for employers found to have denied a treatment plan without reasonable grounds, frivolously, or primarily for purposes of delay, or to have failed to pay for an injured employee's medical care under an accepted treatment plan.

Your Committee on Conference has amended this measure by:

- (1) Reverting to the H.D. 2 version, which:
 - (A) Repeals the authorization of a physician to transmit a treatment plan by mail or facsimile and the requirement that the physician submit the plan to an address or facsimile number provided by the employer;
 - (B) Requires an employer to file a response, either accepting or objecting to a treatment plan, within ten days of receipt;
 - (C) Imposes a monetary penalty if an employer does not file a response within the ten-day period, unless it is determined there was good cause in the delay; and
 - (D) Clarifies that a treatment plan is deemed accepted if an employer fails to file certain documents within the ten-day period; and



- (2) Further amending the measure by:
- (A) Increasing the fine for an employer who fails to file a response within the allotted time to \$1,000;
 - (B) Clarifying that an employer's objection to a treatment plan, including any subsequent objection filed after acceptance of the plan, must be supported by documentary medical evidence;
 - (C) Requiring employers who improperly deny a treatment plan or fail to pay for accepted medical care to pay the injured employee's costs, including reasonable attorneys' fees; and
 - (D) Changing the effective date to July 1, 2026.


As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of H.B. No. 1509, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as H.B. No. 1509, H.D. 2, S.D. 1, C.D. 1.

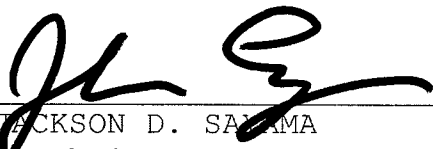



Respectfully submitted on behalf
of the managers:


ON THE PART OF THE SENATE


ON THE PART OF THE HOUSE



BRANDON J.C. ELEFANTE
Chair


JACKSON D. SAKAMA
Co-Chair


J. KEOHOKALOLE
Co-Chair


SCOT Z. MATSUSHITA
Co-Chair


KARL RHOADS
Co-Chair


MIKE LEE
Co-Chair


DRU KANUHA
Co-Chair

Hawaii State Legislature

Record of Votes of a
Conference Committee

CCR 145-26

Bill / Concurrent Resolution No.: HB 1509, HD 2, SD 1	Date/Time: 5/11/26 9:10 am
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
ELEFANTE, Brandon J.C., Chr.	✓				SAYAMA, Jackson D., Co-Chr.	✓			
KEOHOKALOLE, Jarrett, Co-Chr.	✓				MATAYOSHI, Scot Z., Co-Chr.	✓			
RHOADS, Karl, Co-Chr.	✓				LEE, Mike, Co-Chr.	✓			
KANUHA, Dru Mamo, Co-Chr.	✓				GARCIA, Diamond	✓			
LAMOSAO, Rachele				✓					
TOTAL	4	0	0	1	TOTAL	4	0	0	0

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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