

STAND. COM. REP. NO. 3800

Honolulu, Hawaii

APR 10 2026

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

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

Sir:

Your Committees on Judiciary and Ways and Means, to which was referred H.B. No. 1509, H.D. 2, S.D. 1, entitled:

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

beg leave to report as follows:

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 to an address or facsimile number provided by the employer;
- (2) Require employers denying a treatment plan to file a written denial with the Director of Labor and Industrial Relations 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 whom the Director 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 Committees received testimony in support of this measure from the Department of Labor and Industrial Relations; United Public Workers, AFSCME Local 646, AFL-CIO; University of Hawaii Professional Assembly; Work Injury Medical Association of Hawaii; and twenty-five individuals.

Your Committees received testimony in opposition to this measure from two individuals.

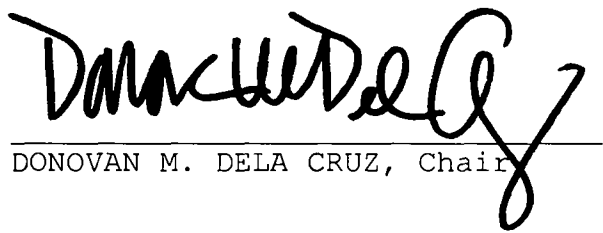
Your Committees received comments on this measure from the Department of Human Resources Development, Hawaii Insurers Council, and Kohala Coast Resort Association.

Your Committees find that the workers' compensation system is rife with issues, including rising health care costs, inconsistent treatment guidelines, inefficient claims processing, prolonged litigation, and significant delays in medical care. Furthermore, many health care providers experience long reimbursement timelines, discouraging participation in the system. Streamlining administrative bottlenecks and imposing a seven-day timeline for employers to file a written denial to a treatment plan will ensure that workers receive treatment in a timely fashion, allowing them to swiftly return to work. This measure will strengthen the accountability of the workers' compensation system to protect injured workers from avoidable and harmful delays in their recovery.



As affirmed by the records of votes of the members of your Committees on Judiciary and Ways and Means that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 1509, H.D. 2, S.D. 1, and recommend that it pass Third Reading.

Respectfully submitted on behalf of the members of the Committees on Judiciary and Ways and Means,

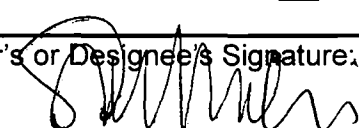
  
DONOVAN M. DELA CRUZ, Chair

  
KARL RHOADS, Chair



The Senate  
Thirty-Third Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Ways and Means**  
**WAM**

Bill / Resolution No.:* <b>HB1509 HD2, SD1</b>	Committee Referral: <b>LBT/CPN, JDC/WAM</b>	Date: <b>04/08/2026</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
MORIWAKI, Sharon Y. (VC)	X			
DECOITE, Lynn	X			
ELEFANTE, Brandon J.C.	X			
HASHIMOTO, Troy N.	X			
INOUYE, Lorraine R.	X			
KANUHA, Dru Mamo	X			
KIDANI, Michelle N.	X			
KIM, Donna Mercado	X			
LEE, Chris	X			
RICHARDS, III, Herbert M. "Tim"	X			
WAKAI, Glenn	X			
FEVELLA, Kurt		X		
<b>TOTAL</b>	<b>12</b>	<b>1</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink File with Committee Report    Committee    Drafting Agency				

\*Only one measure per Record of Votes