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# HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ANALYZE A MEASURE TO REGULATE  
RESPIRATORY CARE PRACTITIONERS.

1           WHEREAS, the practice of respiratory care in the State  
2 affects the public health, safety, and welfare; and  
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4           WHEREAS, the residents of the State should be protected as  
5 are forty-eight other states, from the unqualified practice of  
6 respiratory care and from unprofessional conduct by persons who  
7 provide respiratory care; and  
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9           WHEREAS, practice of respiratory care is a dynamic and  
10 changing art and science, the practice of which continues to  
11 evolve with more sophisticated techniques and clinical  
12 modalities in patient care; and  
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14           WHEREAS, section 26H-6, Hawaii Revised Statutes, requires  
15 that new regulatory measures being considered for enactment  
16 that, if enacted, would subject unregulated professions and  
17 vocations to licensing or other regulatory controls, be referred  
18 to the Auditor for analysis; and  
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20           WHEREAS, referral shall be by concurrent resolution that  
21 identifies a specific legislative bill to be analyzed; and  
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23           WHEREAS, Senate Bill No. 1332, SD2 proposing licensure of  
24 respiratory care practitioners has been introduced during the  
25 Regular Session of 2009 and has already passed the Senate; now,  
26 therefore,  
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28           BE IT RESOLVED by the House of Representatives of the  
29 Twenty-fifth Legislature of the State of Hawaii, Regular Session  
30 of 2009, the Senate concurring, that the Auditor, pursuant to  
31 section 26H-6, Hawaii Revised Statutes, is requested to perform  
32 an analysis of the proposed regulation of respiratory care



1 practitioners, including the establishment of a board of  
2 respiratory care, as proposed in Senate Bill No. 1332, SD2; and

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4 BE IT FURTHER RESOLVED the Auditor is requested to set  
5 forth the probable effects of the proposed regulatory measure  
6 and assess whether its enactment is consistent with the policies  
7 set forth in the sunrise review evaluation law; and

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9 BE IT FURTHER RESOLVED that the Auditor is requested to  
10 include in the analysis an assessment of alternative forms of  
11 regulation; and

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13 BE IT FURTHER RESOLVED that the Auditor is requested to  
14 submit any findings and recommendations to the Legislature no  
15 later than twenty days prior to the convening of the Regular  
16 Session of 2010; and

17  
18 BE IT FURTHER RESOLVED that certified copies of this  
19 Concurrent Resolution be transmitted to the Auditor and the  
20 Director of Commerce and Consumer Affairs.

