
HOUSE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE EFFECTS OF REGULATING
RESPIRATORY CARE PRACTITIONERS.

1 WHEREAS, the practice of respiratory care in the State
2 affects public health, safety, and welfare; and
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4 WHEREAS, the residents of the State should be protected as
5 are the residents of the forty-eight other states, from the
6 unqualified practice of respiratory care and from unprofessional
7 conduct by persons who provide respiratory care; and
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9 WHEREAS, the practice of respiratory care is a dynamic and
10 changing art and science which continues to evolve with more
11 sophisticated techniques and clinical modalities in patient
12 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 which, 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, S.D. 2, which proposes the
24 licensure of respiratory care practitioners, has been introduced
25 during the Regular Session of 2009 and has already passed the
26 Senate; now, 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, S.D. 2;
3 and
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5 BE IT FURTHER RESOLVED the Auditor is requested to set
6 forth the probable effects of the proposed regulatory measure
7 and assess whether its enactment is consistent with the policies
8 set forth in the sunrise review evaluation law; and
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10 BE IT FURTHER RESOLVED that the Auditor is requested to
11 include in the analysis an assessment of alternative forms of
12 regulation; and
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14 BE IT FURTHER RESOLVED that the Auditor is requested to
15 submit findings and recommendations to the Legislature no later
16 than twenty days prior to the convening of the Regular Session
17 of 2010; and
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19 BE IT FURTHER RESOLVED that certified copies of this
20 Concurrent Resolution be transmitted to the Auditor and the
21 Director of Commerce and Consumer Affairs.