

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 1142  
S.D. 1

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Madam:

Your Committees on Health and Commerce and Consumer Protection, to which was referred S.B. No. 1142 entitled:

"A BILL FOR AN ACT RELATING TO PHYSICIAN ASSISTANTS,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Improve patient access to medical care by authorizing physician assistants to provide unsupervised care only in the event of public emergencies and local disasters;
- (2) Limit liability under Good Samaritan Laws;
- (3) Sign certain medical certifications and forms for their patients;
- (4) Administer immunizations; and
- (5) Prescribe medications for patients suffering from human immunodeficiency virus or acquired immune deficiency syndrome without preauthorization.

Your Committees received testimony in support of this measure from the American Academy of Physician Assistants, the Hawaii Academy of Physician Assistants, and the Hawai'i Primary Care Association. Testimony in opposition of this measure was submitted by the Disability and Communication Access Board.



Comments on this measure were submitted by the Hawaii Medical Board.

Written testimony presented to the Committees may be reviewed on the Legislature's website.

Your Committees find that this measure will improve patient access to health care services, expedite the processing of paperwork, and provide optimal care at the initial point of access for Hawaii patients, especially in rural and underserved areas.

Your Committees further find that concerns have been raised by the Disability and Communication Access Board regarding the authority of physician assistants to sign applications for parking permits for persons with disabilities. Expanding this authority to physician assistants would make follow-up verification for fraud an additional burden for the Disability and Communication Access Board and counties that may further delay the issuance of permits to individuals in need.

Your Committees further find that this measure is intended to authorize the unsupervised medical care by physician assistants only in the event of a public emergency or a state or local disaster. In addition, this measure is intended to limit physician assistant liability only in specific situations pursuant to Good Samaritan laws.

Accordingly, your Committees have amended this measure by:

- (1) Clarifying that physician assistant liability is limited, only with regard to Good Samaritan Laws, in the specific situation where the physician assistant, in good faith, renders emergency medical care in a hospital to a person who is in immediate danger of loss of life;
- (2) Removing the authority of physician assistants to sign applications for parking permits for persons with disabilities; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the



intent and purpose of S.B. No. 1142, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 1142, S.D. 1, and be referred to the Committee on Judiciary and Government Operations.

Respectfully submitted on behalf of the members of the Committees on Health and Commerce and Consumer Protection,


  
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ROSALYN H. BAKER, Chair

  
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DAVID Y. IGE, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1142	HTH/CPN, JGO	2/12/9		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
GREEN, M.D., Josh (VC)	✓			
BAKER, Rosalyn H.	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.				✓
HEMMINGS, Fred	✓			
<b>TOTAL</b>	5	0	0	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes

