

Honolulu, Hawaii

APR 26 2013

RE: S.B. No. 1074
S.D. 2
H.D. 1
C.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Seventh State Legislature
Regular Session of 2013
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1074, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PHYSICAL THERAPY,"

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 of this measure is to:

- (1) Regulate physical therapist assistants by limiting the use of certain titles and requiring licensure prior to practicing in the State;
- (2) Add a physical therapist assistant to the Board of Physical Therapy to replace the physician member; and
- (3) Appropriate funds from the Compliance Resolution Fund to implement the licensure of physical therapist assistants.



Your Committee on Conference finds that physical therapist assistants are health care providers who deliver physical therapy services under the direction and supervision of physical therapists. Your Committee on Conference further finds that physical therapist assistants must meet specific educational requirements and be licensed in order to provide services that are reimbursed by Medicare and/or Medicaid. The lack of licensure by physical therapy assistants has an impact on these reimbursements.

Your Committee on Conference additionally finds that Hawaii is the only state in the country that does not regulate physical therapy assistants. This measure protects the public and ensures consumer safety by regulating the practice of physical therapist assistants and requiring physical therapist assistants to receive appropriate education and training to practice in the State.

Your Committee on Conference has amended this measure by:

- (1) Amending the definition of "physical therapy" or "physical therapy services";
- (2) Inserting an appropriation amount of \$40,000 out of the Compliance Resolution Fund for fiscal year 2014-2015 to implement the licensure of physical therapist assistants;
- (3) Inserting an effective date of upon approval; provided that:
 - (A) The Board of Physical Therapy shall adopt rules pursuant to section 461J-5, Hawaii Revised Statutes, implementing the licensure requirement under this measure no later than December 1, 2014;
 - (B) A physical therapist assistant may practice without a license until November 30, 2014, or the effective date of rules implementing licensure requirements by the Board of Physical Therapy, whichever occurs first; and
 - (C) The appropriation section shall take effect on July 1, 2014; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.




Your Committee on Conference notes that the Department of Commerce and Consumer Affairs has indicated it will post the commencement date of the application period for physical therapist assistants, as required by this measure, on its website.

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 S.B. No. 1074, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1074, S.D. 2, H.D. 1, C.D. 1.

Respectfully submitted on behalf of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE




ANGUS L.K. MCKELVEY, Co-Chair




ROSALYN H. BAKER, Chair



DELLA AU BELATTI, Co-Chair



WILL ESPERO, Co-Chair



DEE MORIKAWA, Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 1074, SD 2, HD 1 Date/Time: 2:45 p. 4-26-13

[X] The recommendation of the House and Senate managers is to pass with amendments (CD).

[] The Committee is reconsidering its previous decision.

[] The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure [] The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

Table with columns for Senate Managers and House Managers, and sub-columns for A, WR, N, E. Includes names like BAKER, Rosalyn H., Chr. and MCKELVEY, Angus L.K., Co-Chr.

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

Senate Recommendation is: [X] Adopted [] Not Adopted House Recommendation is: [X] Adopted [] Not Adopted

Senate Lead Chair's or Designee's Signature: [Signature] House Lead Chair's or Designee's Signature: [Signature]

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