

FEB 27 2014

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO ASSESS THE PROBABLE EFFECTS OF
LICENSING AND REGULATING OCCUPATIONAL THERAPISTS AND
OCCUPATIONAL THERAPY ASSISTANTS.

1 WHEREAS, occupational therapists treat patients with
2 injuries, illnesses, or disabilities through the therapeutic use
3 of everyday life activities; and
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5 WHEREAS, occupational therapy assistants assist
6 occupational therapists in providing occupational therapy; and
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8 WHEREAS, although the regulation of occupational therapy
9 practice is codified in chapter 457G, Hawaii Revised Statutes,
10 the language in this chapter is incomplete in relation to
11 certain aspects of the profession, and does not require
12 licensure of occupational therapists or occupational therapy
13 assistants; and
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15 WHEREAS, Hawaii is the last state in the country to license
16 occupational therapists and one of the last three states to
17 license occupational therapy assistants; and
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19 WHEREAS, occupational therapists and occupational therapy
20 assistants should be licensed in Hawaii in order to protect
21 public health, safety, and the welfare of the patients served by
22 occupational therapists and occupational therapy assistants; and
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24 WHEREAS, licensing occupational therapists and occupational
25 therapy assistants will ensure that occupational therapy in
26 Hawaii is provided by only qualified occupational therapists and
27 occupational therapy assistants and will help meet insurer payer
28 requirements, as some insurers require occupational therapy to
29 be provided by licensed individuals; and
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31 WHEREAS, S.B. No. 2472, S.D. 1 (Regular Session of 2014),
32 mandates licensing and regulatory controls for occupational



1 therapists and occupational therapy assistants by establishing
2 an occupational therapy program and licensing requirements for
3 occupational therapists and occupational therapy assistants,
4 including provisions relating to qualifications, licensure,
5 practice of occupational therapy, supervision of occupational
6 therapy assistants, exemptions, powers and duties of the
7 Director of Commerce and Consumer Affairs, licensure renewal,
8 restoration, penalty, and revocation or suspension of licenses;
9 and

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11 WHEREAS, section 26H-6, Hawaii Revised Statutes, requires
12 new regulatory measures that would subject unregulated
13 professions and vocations to licensing or other regulatory
14 controls to be referred by concurrent resolution to the Auditor
15 for analysis; now, therefore,

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17 BE IT RESOLVED by the Senate of the Twenty-seventh
18 Legislature of the State of Hawaii, Regular Session of 2014, the
19 House of Representatives concurring, that the Auditor is
20 requested to conduct an analysis pursuant to section 26H-6,
21 Hawaii Revised Statutes, of the probable effects of licensing
22 and regulating occupational therapists and occupational therapy
23 assistants as proposed in S.B. No. 2472, S.D. 1 (Regular Session
24 of 2014), and assess whether enactment of the bill is consistent
25 with policies set forth in section 26H-2, Hawaii Revised
26 Statutes; and

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28 BE IT FURTHER RESOLVED that the Auditor is requested to
29 submit findings and recommendations, including any necessary
30 implementing legislation, to the Legislature no later than
31 twenty days prior to the convening of the Regular Session of
32 2015; and

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34 BE IT FURTHER RESOLVED that certified copies of this
35 Concurrent Resolution be transmitted to the Auditor and Director
36 of Commerce and Consumer Protection.

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39 OFFERED BY: _____


