

Honolulu, Hawaii

FEB 12 2013

RE: S.B. No. 1074
S.D. 1

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

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1074 entitled:

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

begs leave to report as follows:

The purpose and intent 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) Ensure physical therapist assistants have the appropriate education and training background;
- (3) Add a physical therapist assistant to the composition of the Board of Physical Therapy of the Department of Commerce and Consumer Affairs; and
- (4) Appropriate funds out of the compliance resolution fund to implement the licensure of physical therapist assistants.

Your Committee received testimony in support of this measure from the American Physical Therapy Association; Hawaii Chapter of the American Physical Therapy Association; The Queen's Medical Center; Occupational Therapy Association of Hawaii; Ho'okahi Leo, Physical Therapist Assistants of Hawaii; Tripler Army Medical Center, Pain Clinic; and nineteen individuals.



Your Committee finds that physical therapist assistants are health care providers who deliver physical therapy services under the direction and supervision of physical therapists. Currently, Hawaii is the only state in the country that does not regulate physical therapy assistants.

Your Committee further finds that the Auditor's Office conducted a sunrise review in 1995 on a proposal to regulate physical therapy assistants, pursuant to section 26H-6, Hawaii Revised Statutes. The Auditor's report concluded there was no need for regulation and cited little potential harm to the public because the small number of physical therapy assistants practicing in Hawaii could only work under the supervision of a physical therapist. However, since that time, the scope of physical therapy practice has expanded and the number of physical therapy assistants practicing in Hawaii has increased.

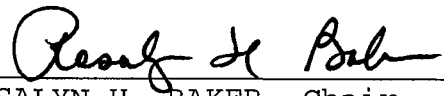
Your Committee additionally finds that physical therapy assistants work in a variety of practice settings, including hospitals, private practices, schools, and home health, and work with different patient populations, including children and the elderly. Because some treatment provided by physical therapy assistants could cause harm to patients if not done correctly, your Committee concludes that licensure for physical therapy assistants is needed in the State to protect the public and ensure consumer safety.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1074, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1074, S.D. 1, and be referred to the Committee on Ways and Means.



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

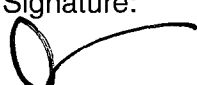


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Seventh Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 1074	CPN, WAM	2/7/13		
<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
BAKER, Rosalyn H. (C)	✓			
GALUTERIA, Brickwood (VC)	✓			
NISHIHARA, Clarence K.	✓			
SOLOMON, Malama	✓			
TANIGUCHI, Brian T.				✓
WAKAI, Glenn	✓			
SLOM, Sam	✓			
TOTAL	6			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes