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## A BILL FOR AN ACT

RELATING TO THE HAWAII MEDICAL BOARD.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that only eighteen per  
2 cent of the Hawaii medical board is comprised of non-physicians,  
3 representing the public at large. This low rate marks Hawaii  
4 among the states with the lowest proportion of public members on  
5 its medical board with only two of its eleven members legally  
6 permitted to be lay persons. The medical board oversees  
7 licensure for a broad range of medical professionals, consisting  
8 of physicians, osteopathic physicians, surgeons, physician  
9 assistants, and others.

10           The legislature further finds that the Hawaii medical board  
11 is charged with overseeing the medical licenses and making  
12 determinations of inappropriate actions that would result in  
13 reprimand or revocation. The legislature finds that a medical  
14 board overseeing medical professionals that is greatly favored  
15 for medical professionals may lead to impartiality and undue  
16 protection of the medical professionals. Thus, increasing the  
17 number of lay persons on the board and reducing the number of



1 physicians, surgeons, and osteopathic physicians serves the  
2 public interest by allowing for a more representative group of  
3 members to voice the concerns of the public and ensure proper  
4 actions are taken to ensure patient safety.

5 The purpose of this Act is to adjust the number of  
6 physicians and lay persons on the Hawaii medical board.

7 SECTION 2. Section 453-5, Hawaii Revised Statutes, is  
8 amended to read as follows:

9 **"§453-5 Hawaii medical board; appointment, removal,**  
10 **qualifications.** (a) For the purpose of carrying out this  
11 chapter, the governor shall appoint a Hawaii medical board whose  
12 duty it shall be to examine all applicants for license to  
13 practice medicine or surgery. As used in this chapter, "board"  
14 means the Hawaii medical board.

15 ~~[The board shall consist of eleven persons, seven of whom~~  
16 ~~shall be physicians or surgeons licensed under the laws of the~~  
17 ~~State, two of whom shall be osteopathic physicians licensed~~  
18 ~~under the laws of the State, and two of whom shall be lay~~  
19 ~~members appointed from the public at large. Of the nine members~~  
20 ~~who are physicians, surgeons, or osteopathic physicians, at~~  
21 ~~least five shall be appointed from the city and county of~~



~~1 Honolulu and at least one shall be appointed from each of the  
2 other counties. Medical societies in the various counties may  
3 conduct elections periodically but no less frequently than every  
4 two years to determine nominees for the board to be submitted to  
5 the governor. In making appointments, the governor may consider  
6 recommendations submitted by the medical societies and the  
7 public at large. Each member shall serve until a successor is  
8 appointed and qualified.]~~

9       **(b) The board shall consist of eleven persons, six of whom  
10 shall be physicians, surgeons, or osteopathic physicians  
11 licensed under the laws of the State, and five of whom shall be  
12 lay members appointed from the public at large. Of the six  
13 members who are physicians, surgeons, or osteopathic physicians,  
14 at least three shall be appointed from the city and county of  
15 Honolulu and at least one shall be appointed from each of the  
16 other counties.**

17       **(c) Medical societies in the various counties may conduct  
18 elections periodically but no less frequently than every two  
19 years to determine nominees for the board to be submitted to the  
20 governor. In making appointments, the governor may consider  
21 recommendations submitted by the medical societies and the**



1 public at large. Each member shall serve until a successor is  
2 appointed and qualified.

3 [~~b~~] (d) The department shall employ, not subject to  
4 chapter 76, an executive secretary to administer the board's  
5 activities and an employee to administer the medical inquiry and  
6 conciliation panels established under chapter 671. The employee  
7 responsible for administration of the medical inquiry and  
8 conciliation panels shall have no duties in administration of  
9 the board's activities."

10 SECTION 3. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect on July 1, 2016.

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INTRODUCED BY:

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JAN 26 2016



# H.B. NO. 2439

**Report Title:**

Medical Board; Physicians; Medicine.

**Description:**

Adjusts the number of physicians and lay persons on the Hawaii medical board.

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