

Honolulu, Hawaii

MARCH 4, 2016

RE: H.B. No. 2233
H.D. 2

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2233, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS,"

begs leave to report as follows:

The purpose of this measure is to require every physician, osteopathic physician, and surgeon who actively practices in the State to:

- (1) Complete a continuing medical education course that focuses on health issues with significant public health impact to the State, including specified reportable infectious diseases; and
- (2) Meet this Hawaii-specific requirement by obtaining credit hours in a continuing medical education course as provided in the Hawaii Medical Board's rules.

An individual testified in support of this measure. The Department of Health, Hawaii Medical Board, Hawaii Chapter of the American Academy of Pediatrics, Hawaii Chapter of the American College of Physicians, Hawaii Academy of Family Physicians, and numerous individuals testified in opposition to this measure. An individual provided comments on this measure.



Your Committee has amended this measure by:

- (1) Removing language that added the continuing education requirement to a statutory section applicable to only physicians and osteopathic physicians;
- (2) Inserting language that requires:
 - (A) The Director of Health (Director) to identify the health care professional classes that shall be subject to the continuing education requirement in this measure;
 - (B) Members of the health care professional classes identified by the Director to attend an annual continuing education course developed by the Department of Health on health issues, including reportable infectious diseases, that are unique to the State, which shall count toward fulfilling any applicable continuing education course requirements; and
 - (C) Laboratory directors and health care providers to provide to the Director a current electronic mail address that the Director shall maintain in a database and utilize for the purpose of providing information collected, pursuant to mandatory reporting requirements for diseases or conditions declared to be communicable or dangerous to the public health;
- (3) Changing the effective date to July 1, 2112, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes that there were concerns that the continuing education requirement contained in prior versions of this measure applied to all physicians and osteopathic physicians regardless of their scope of practice. Your Committee notes that certain health care professionals do not treat infectious and communicable diseases and therefore should not be subject to the continuing education requirement. Accordingly, your Committee included the amendment to require the Director of Health to



identify the health care professional classes that shall be subject to the continuing education requirement in this measure.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2233, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2233, H.D. 2.

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



ANGUS L.K. MCKELVEY, Chair



