

HB1627 HD3

Measure Title:	RELATING TO MEDICAL INVESTIGATIONS BY THE REGULATED INDUSTRIES COMPLAINTS OFFICE.
Report Title:	RICO; Medical Investigations; Positions; Appropriation (\$)
Description:	Requires the Regulated Industries Complaints Office to establish a division that specializes in the investigation of medical cases involving professions and occupations regulated by the Department of Commerce and Consumer Affairs. Appropriates funds from the compliance resolution fund for field investigator and staff attorney positions. (HB1627 HD3)
Companion:	
Package:	None
Current Referral:	CPH, WAM
Introducer(s):	MCKELVEY



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PRESENTATION OF
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
REGULATED INDUSTRIES COMPLAINTS OFFICE

TO THE SENATE COMMITTEE
ON
COMMERCE, CONSUMER PROTECTION, AND HEALTH

TWENTY-EIGHTH STATE LEGISLATURE
REGULAR SESSION, 2016

WEDNESDAY, MARCH 16, 2016
9:00 A.M.

TESTIMONY ON HOUSE BILL NO. 1627 H.D.3
RELATING TO MEDICAL INVESTIGATIONS BY
THE REGULATED INDUSTRIES COMPLAINTS OFFICE

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND TO THE HONORABLE MICHELLE N. KIDANI, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on House Bill No. 1627 H.D.3, Relating to Medical Investigations by the Regulated Industries Complaints Office. My name is Daria Loy-Goto and I am the Complaints and Enforcement Officer for the Department's Regulated Industries Complaints Office ("RICO"). RICO offers comments in support of this bill.

House Bill No. 1627 H.D.3 requires RICO to establish a division that specializes in investigating medical complaints and appropriates an undetermined amount of monies from the Department's Compliance Resolution Fund for an unspecified number of field investigator and staff attorney positions to handle investigations of medical complaints. The bill also has a defective effective date.

The additional staff would assist RICO in its investigation of medical cases and allow RICO's existing staff more time to devote to investigating complaints involving the other professions RICO oversees.

RICO notes that it would need to undergo rulemaking to increase compliance resolution fees to cover personnel and operating costs relating to the new responsibilities provided for in this bill.

This Committee heard the Senate companion measure, Senate Bill No. 2674, and passed that bill out with amendments appropriating Compliance Resolution Fund monies for four investigator and two staff attorney positions. As Senate Bill No. 2674 S.D. 1 provides for a specific number of investigator and staff attorney positions, RICO prefers the position counts delineated in that measure over this bill's blank position and appropriation amounts. A final appropriation amount still must be inserted into the measure, and we would be happy to discuss with the Committee an appropriate figure which would be tied to the final number of positions the Committee deems appropriate.

Thank you for the opportunity to testify on House Bill No. 1627 H.D.3. I will be happy to answer any questions the Committee may have.



Wednesday March 16, 2016

9:00 AM.

Capitol Rm. 229

To: SENATE COMMITTEE ON CONSUMER PROTECTION & HEALTH
Sen. Rosalyn Baker, Chair
Sen. Michelle Kidani, Vice Chair

From: Hawaii Medical Association
Dr. Scott McCaffrey, MD, President
Dr. Linda Rasmussen, MD, Legislative Co-Chair
Dr. Ronald Kienitz, MD, Legislative Co-Chair
Dr. Christopher Flanders, DO, Executive Director
Lauren Zirbel, Community and Government Relations

Re: HB 1627 HD3 – RELATING TO MEDICAL INVESTIGATIONS BY THE REGULATED INDUSTRIES COMPLAINT OFFICE

IN SUPPORT, WITH COMMENTS

The Hawaii Medical Association is concerned regarding the recent adverse medical incidents in the state and the possible indications these might give toward patient safety in Hawaii. To this end the HMA supports this systems change which we feel would provide a more nimble and involved system of monitoring and investigation of incidents within the medical community.

The Hawaii Medical Association is of the opinion that the time period involved in many patient care investigations is excessive. We have had conversations over the last couple of years with RICO and legislators regarding the extended times taken to investigate physician complaints.

The HMA feels that the need to conduct a medical investigation in a timely manner is far more important in the medical community than other regulated industries. A single clinician can put 6 or more patients under anesthesia, for example, in a single day. Multiply this by 22 days a month over 15 months and the risk becomes excessive.

The Hawaii Medical Association would like to support legislation that places all medical provider boards into a separate medical section of the DCCA, complete with their own separate medical division of RICO. This would allow for expediency in action and a more thorough

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relationship with providers. Included in this division should be the Boards of Medicine, Dental Examiners, Optometry, Physical Therapy, Naturopathic Medicine, Chiropractic Examiners, and Acupuncture.

The HMA is confident that these changes would result in a safer medical environment for patients and a greater confidence in providers. We would also offer our services in support and implementation of this change, and are available for further discussion.

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