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

**TO THE SENATE COMMITTEE  
ON  
JUDICIARY AND LABOR**

**TWENTY-EIGHTH STATE LEGISLATURE  
REGULAR SESSION, 2016**

**THURSDAY, MARCH 31, 2016  
9:30 A.M.**

**WRITTEN TESTIMONY ONLY  
ON  
HOUSE BILL NO. 2335 H.D.1 S.D.1  
RELATING TO PHYSICIAN DISCIPLINE**

**TO THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR,  
AND TO THE HONORABLE MAILE S.L. SHIMABUKURO, VICE CHAIR,  
AND MEMBERS OF THE COMMITTEE:**

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to submit written testimony on House Bill No. 2335 H.D.1 S.D.1, Relating to Physician Discipline. My name is Daria Loy-Goto and I am the Complaints and Enforcement Officer for the Department's Regulated Industries Complaints Office ("RICO"). The Department strongly supports this Administration bill.

House Bill No. 2335 H.D.1 S.D.1 creates a new mechanism by which the Hawaii Medical Board ("Board") can impose the same disciplinary action against a physician licensed in Hawaii as was taken by another state or federal agency.

The Department strongly supports House Bill No. 2335 H.D.1 S.D.1 for the following reasons:

1) House Bill No. 2335 H.D.1 S.D.1 will expedite the disciplinary process when a Hawaii licensee is disciplined by another state or federal agency. In particular, the provision that a certified copy of the disciplinary action taken by another state or federal agency shall constitute prima facie evidence of the disciplinary action will simplify the disciplinary process.

2) House Bill No. 2335 H.D.1 S.D.1 will protect the safety of Hawaii patients during the disciplinary process by prohibiting a licensee who has been banned from practicing in another state from practicing in Hawaii until the Board issues a final order.

3) House Bill No. 2335 H.D.1 S.D.1 will enable the Board to timely and appropriately respond to disciplinary actions taken elsewhere against Hawaii licensees and keep pace with its counterparts nationwide.

RICO notes that this Committee heard the companion measure, Senate Bill No. 2864, and passed that bill out with a defective effective date. Although both bills are substantially similar, RICO prefers this bill over Senate Bill No. 2864 S.D.1 because it has a valid effective date of July 1, 2016.

Thank you for the opportunity to submit written testimony in strong support of House Bill No. 2335 H.D.1 S.D.1.



**Thursday March 31, 2016**

**9:30 AM.**

**Capitol Rm. 016**

To: SENATE COMMITTEE ON JUDICIARY AND LABOR  
Sen. Gilbert Keith-Agaran, Chair  
Sen. Maile Shimabukuro, Vice Chair

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

Re: HB 2335 HD1 SD1 – RELATING TO PHYSICIAN DISCIPLINE

**IN SUPPORT, WITH COMMENTS**

Chair, Vice Chair, and Committee Members:

The Hawaii Medical Association supports HB 2335 and its intent to expedite the identification of discipline issues.

The HMA is fully supportive of quick and decisive action in the event of adverse disciplinary actions taken against physicians in other states. The language of the bill maintains the discretionary and decision-making power of the Board of Medicine rather than proscriptive statutory language. It is especially important that we utilize the Board members experience and expertise in dealing with actions involving physician discipline.

The HMA further recommends the establishment of a mechanism by which the Board may exercise its summary suspension powers within 72 hours of discovery of a significant risk to Hawaii patient safety.

Thank you for the opportunity to provide this testimony.

**OFFICERS**

**PRESIDENT – D. SCOTT MCCAFFREY, MD, PRESIDENT ELECT – BERNARD ROBINSON, MD  
IMMEDIATE PAST PRESIDENT – ROBERT SLOAN, MD, SECRETARY - THOMAS KOSASA, MD,  
TREASURER – MICHAEL CHAMPION, MD, EXECUTIVE DIRECTOR – CHRISTOPHER FLANDERS, DO**

**PRESENTATION OF THE  
HAWAII MEDICAL BOARD**

TO THE SENATE COMMITTEE ON  
JUDICIARY AND LABOR

TWENTY-EIGHTH LEGISLATURE  
Regular Session of 2016

Thursday, March 31, 2016  
9:30 a.m.

**WRITTEN TESTIMONY ONLY**

**TESTIMONY ON HOUSE BILL NO. 2335, H.D. 1, S.D. 1, RELATING TO PHYSICIAN  
DISCIPLINE.**

TO THE HONORABLE GILBERT S.C. KEITH-AGARAN, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

My name is Ahlani Quiogue, and I am the Executive Officer for the Hawaii Medical Board ("**Board**"). Thank you for the opportunity to submit written testimony on House Bill No. 2335, H.D. 1, S.D. 1, Relating to Physician Discipline. The Board supports this Administration bill.

House Bill No. 2335, H.D. 1, S.D. 1, authorizes the Board to impose the same disciplinary action against a licensee as was taken by another state or federal agency, establishes conditions for the disciplinary action, and prohibits the licensee from practicing until a final order of discipline is issued if the licensee has been prohibited from practicing in another state. The Board supports this measure as it will expedite the disciplinary process when a Hawaii licensee is disciplined by another state or federal agency.

Thank you for the opportunity to testify on House Bill No. 2335, H.D. 1, S.D. 1, Relating to Physician Discipline.