

RE: SB 2676

LATE

Measure Title: RELATING TO PHYSICIAN ASSISTANTS.

Report Title: Physician Assistants; Nurses

Description: Clarifies powers of physician assistants regarding nurses under chapter regulating physicians. Removes sunset date of Act 255, SLH 2012.

Senate Committee on Consumer Protection

Honorable Senators and Committee Members

The Hawaii Academy of Physician Assistants submits testimony in opposition to SB 2676 regarding physician assistants and with regard to changing language as submitted in this bill regarding HRS 453.

While we support the intent of the bill, regarding nurses complying with the orders of physician assistants, and removing the sunset, but it does not make sense to change HRS 453 to accomplish this goal.

CPH passed SB 805 in 2015. SB 2015 passed the Senate Health Committee, House Health Committee and recently in 2016, the House CPC Committee. That is the correct version of the bill, with the correct language. Please note substantive supporting testimony on that bill in 2016, including supporting testimony from the Hawaii State Board of Nursing, The Queen's Health Systems and many others.

Please also note that concurrent bill HB 2255 was deferred in favor of SB 805 in 2016.

§457-2 Definitions

"The foregoing may include, but shall not be limited to: implementation of basic nursing procedures in the plan of care; observing and caring for individuals at all levels of the health spectrum, giving counsel and acting to safeguard life and health and functioning as a part of the health care team, under the direction of a dentist, physician, osteopathic physician, registered nurse, osteopath, or podiatrist licensed in accordance with chapter 448, 453, 457, 460, or 463E, or under the orders of a physician assistant licensed pursuant to chapter 453, practicing with physician supervision as required by chapter 453, and acting as the agent of the supervising physician;

There is no merit in the argument that PAs should not be included in HRS 457.

If PAs are to be excluded then why not dentists, physicians, osteopathic physicians and podiatrists?

This was not supported by the Hawaii Board of Nursing who testified on SB 805 in 2015 to Senate HTH, CPN and House HLT committees with the following language:

PRESENTATION OF THE BOARD OF NURSING

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-EIGHTH LEGISLATURE

Regular Session of 2015

Friday, March 20, 2015

10:30 a.m.

TESTIMONY ON SENATE BILL NO. 805, RELATING TO HEALTH

TO THE HONORABLE DELLA AU BELATTI, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Lee Ann Teshima, Executive Officer of the Board of Nursing

I appreciate the opportunity to submit testimony on Senate Bill No. 805,

Relating to Health, that would remove the sunset provision from Act 255, Session Laws

The Board supports this bill.

Thank you for the opportunity to submit testimony on Senate Bill No. 805.

REGARDING SB 805:

Hearing scheduled for 3/20/2015

Hearing Room 329 10:30 AM

House Committee

Physician and osteopathic orders to nurses are not stated in HRS 453.

They are stated in HRS 457. Following the reasoning of removing physician assistants from the language of HRS 457, then physicians, osteopathic physicians, dentists and podiatrists should also be removed and their authority to give orders to nurses be stated in their respective HRS.

Nurses are regulated by HRS 457 and this is the reason the language regarding orders was placed within HRS 457. Nurses are not governed by HRS 453, and that is the reason that language regarding orders for nurses does not belong in HRS 453.

The ACA recognizes PAs as an essential part of the solution to the primary care shortage by formally acknowledging them as one of the three primary care health providers along with NPs and doctors.

It doesn't make sense to remove PAs from HRS 457.

Medical home accreditors recognize PAs. Standards from NCQA, The Joint Commission and URAC recognize PAs as primary care providers and as qualified to lead patient care teams.

SB 2103, when submitted in 2012 received support from the following:

The Hawaii State Board of Nursing, HMA, The Queens Health System, The Hawaii State Center for Nursing, Hawaii Pacific Health, The University of Hawaii – School of Nursing and Dental Health, The American Academy of Physician Assistants, The Hawaii Academy of Physician Assistants in addition to nurses, physician assistants and physicians. Review of archive testimony confirms the information above.

There has been ample time to evaluate the law and its effect on public health. There has been no demonstrated or documentable harm, but rather benefit. The change made by Act 255, Session Laws of Hawaii 2012, has provided clarity and improved communication for all health care providers and specifically, licensed practical nurses, registered nurses and physician assistants.

In summary, the original bill SB 2103 was widely supported by the medical community in general, as referenced above. There has been no indication that it has negatively impacted health care delivery or caused any malpractice. The bill has given clarity that when nurses carry out prescribed medical orders from physician assistants that they are acting lawfully and within their scope of practice.

The best solution is to leave the PA language in HRS 457 and remove the sunset provision which is what you supported last year when you passed SB 805.

Fielding Mercer, PA-C

Legislative Liaison

Hawaii Academy of Physician Assistants

baker3 - James

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 16, 2016 1:19 PM
To: CPH Testimony
Cc: hscfn@hawaii.edu
Subject: Submitted testimony for SB2676 on Feb. 17, 2016 09:00AM

Categories: Late

SB2676

Submitted on: 2/16/2016

Testimony for CPH on Feb 17, 2016 09:00AM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Laura Reichhardt	Hawai'i State Center for Nursing	Comments Only	No

Comments: Chair Baker, Vice Chair Kidani, and members of the Senate Committee on Commerce, Consumer Protection and Health, thank you for hearing SB2676 Relating to Physician Assistants. At this time, the Hawai'i State Center for Nursing (HSCN) is submitting comments for your consideration. The HSCN agrees with the intent of this bill to amend Chapter 453 Hawai'i Revised Statutes and Chapter 457 Hawai'i Revised Statutes to ensure interprofessional care teams in all healthcare settings have clarity of delegation authority and practice. However, the HSCN has concerns that the language proposed in Sections 3.1 and 3.2 relating HRS §457.2, will remove clear guidelines for receiving delegation by physician assistants in the nurse's practice act, which defines the scope of a nurses' own practice authority. Thank you for your continued support for Hawai'i's nurses and ensuring a safe and quality health care system.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov