

SB 984

RELATING TO WORKERS'
COMPENSATION PHYSICIAN.

LAB, CPC

SB984



Submit Testimony

Measure Title: RELATING TO WORKERS' COMPENSATION PHYSICIAN.
Report Title: Workers' Compensation; Physician
Description: Amends the definition of "physician" in workers' compensation law to include advanced practice registered nurses.
Companion: [HB1118](#)
Package: Governor
Current Referral: LAB, CPC
Introducer(s): KOUCHI (Introduced by request of another party)

Sort by Date		Status Text
1/25/2017	S	Introduced.
1/25/2017	S	Passed First Reading.
1/25/2017	S	Referred to JDL/CPH.
2/21/2017	S	The committee(s) on JDL/CPH has scheduled a public hearing on 02-27-17 9:00AM in conference room 016.
2/27/2017	S	The committee(s) on CPH recommend(s) that the measure be PASSED, UNAMENDED. The votes in CPH were as follows: 5 Aye(s): Senator(s) Baker, Nishihara, S. Chang, Espero, Ihara; Aye(s) with reservations: none ; 0 No(es): none; and 2 Excused: Senator(s) Kidani, Ruderman.
2/27/2017	S	The committee(s) on JDL recommend(s) that the measure be PASSED, UNAMENDED. The votes in JDL were as follows: 4 Aye(s): Senator(s) Keith-Agaran, K. Rhoads, Kim, L. Thielen; Aye(s) with reservations: none ; 0 No(es): none; and 1 Excused: Senator(s) Gabbard.
3/2/2017	S	Reported from JDL/CPH (Stand. Com. Rep. No. 613) with recommendation of passage on Second Reading and placement on the calendar for Third Reading.
3/2/2017	S	Report adopted; Passed Second Reading.

3/2/2017	S	One Day Notice 03-03-17.
3/3/2017	S	Passed Third Reading. Ayes, 24; Aye(s) with reservations: none. Noes, 0 (none). Excused, 1 (Senator(s) Gabbard). Transmitted to House.
3/3/2017	H	Received from Senate (Sen. Com. No. 66).
3/7/2017	H	Pass First Reading
3/7/2017	H	Referred to LAB/HLT, CPC, referral sheet 26
3/17/2017	H	Re-referred to LAB, CPC, referral sheet 32
3/20/2017	H	Bill scheduled to be heard by LAB on Thursday, 03-23-17 10:00AM in House conference room 309.

JAN 25 2017

A BILL FOR AN ACT

RELATING TO WORKERS' COMPENSATION PHYSICIAN.

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

1 SECTION 1. Section 386-1, Hawaii Revised Statutes, is amended
2 by amending the definition of "physician" to read as follows:

3 ""Physician" includes a doctor of medicine, a dentist, a
4 chiropractor, an osteopath, a naturopathic physician, a
5 psychologist, an optometrist, an advanced practice registered
6 nurse, and a podiatrist."

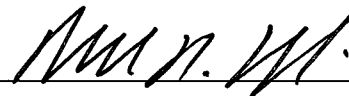
7 SECTION 2. New statutory material is underscored.

8 SECTION 3. This Act shall take effect upon its approval.

9

10

INTRODUCED BY: _____



11

BY REQUEST

S.B. NO. 984

Report Title:

Workers' Compensation; Physician

Description:

Amends the definition of "physician" in workers' compensation law to include advanced practice registered nurses.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

SB. NO. 984

JUSTIFICATION SHEET

DEPARTMENT: Labor and Industrial Relations

TITLE: A BILL FOR AN ACT RELATING TO WORKERS' COMPENSATION PHYSICIAN.

PURPOSE: Clarify the expanded role of advanced practice registered nurses (APRN) as primary care providers for injured workers in workers' compensation cases.

MEANS: Amend section 386-1, Hawaii Revised Statutes (HRS), definition of physician.

JUSTIFICATION: Act 183, effective July 1, 2016, added APRNs under chapter 457, HRS, to the definition of "health care provider" allowing their participation as health care providers for the purpose of providing care for the injured worker, among others. However, pursuant to section 12-15-31(c) of the Workers' Compensation Medical Fee Schedule Administrative Rules "[A]ny service performed by a provider of service who is not a physician as defined in section 386-1, HRS, shall be referred by and be under the direction of the attending physician." APRNs are not included in the definition of "physician" in section 386-1, HRS. This amendment will allow APRNs to be responsible for treatment of the injured worker in workers' compensation cases to the fullest extent of their training and education.

The University of Hawaii at Mānoa, John A. Burns - School of Medicine (JABSOM) reported findings from the Hawaii Physician Workforce Assessment Project to the 2015 Legislature, in accordance with Act 18 (Special Session Laws of Hawaii 2009) as amended by Act 186 (Session Laws of Hawaii 2012). The report indicated that there was a shortage of 665 physicians or twenty per cent in Hawaii and that a best-case scenario for future workforce numbers is that by 2020 Hawaii will have a shortage of 800 physicians.

SB. NO. 984

The physician specialties with the greatest shortages are primary care, particularly on the Neighbor Islands, as well as other specialties, many of which are needed by injured workers.

Exacerbating the physician shortage in workers' compensation is the refusal or reluctance of physicians to take injured workers as patients due to the onerous paperwork and litigious nature of the workers' compensation system, which was designed to function in a more informal manner. The shortage of physicians willing to treat injured workers is particularly problematic on the Neighbor Islands, and especially so in remote areas.

The department believes that allowing APRNs to treat injured workers as the physician will help alleviate the shortage of physicians willing to treat injured workers and improve access to health care services, especially on the Neighbor Islands.

Impact on the public: This proposed amendment will increase access to care in finding a health care provider to treat the injured worker's industrial injury.

Impact on the department and other agencies: The proposal, if enacted, will help the department perform its function to assist injured workers and employers in the workers' compensation system.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM DESIGNATION: LBR-183.

OTHER AFFECTED AGENCIES: None.

EFFECTIVE DATE: Upon approval.

**PRESENTATION OF THE
BOARD OF NURSING**

TO THE HOUSE COMMITTEE ON LABOR & PUBLIC EMPLOYMENT

TWENTY-NINTH LEGISLATURE
Regular Session of 2017

Tuesday, March 23, 2017
10:00 a.m.

**TESTIMONY ON SENATE BILL NO. 984, RELATING TO WORKERS'
COMPENSATION PHYSICIAN.**

TO THE HONORABLE AARON LING JOHANSON, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Lee Ann Teshima, Executive Officer for the Board of Nursing ("Board"). I appreciate the opportunity to testify on Senate Bill No. 984, Relating to Workers' Compensation Physician, which would amend the definition of "physician" in the workers' compensation law to include advanced practice registered nurses ("APRNs").

The Board supports this bill which would recognize qualified APRNs to provide primary medical care services to workers' compensation patients. For licensure, APRNs must complete a graduate-level degree in nursing practice and maintain national certification in their practice specialty. Continuing education is required for both prescriptive authority and the maintenance of national certification.

Removing "barriers" by recognizing that APRNs are qualified to provide health care services in addition to physicians and other health care providers is vital to ensuring that residents of this State are able to receive the health care they deserve.

Thank you for the opportunity to testify in support of Senate Bill No. 984.



**Written Testimony Presented Before the
House Committee on Labor & Public Employment
March 23, 2017 at 10:00 AM**

**by
Laura Reichhardt, NP-C, APRN, Director
Hawai'i State Center for Nursing
University of Hawai'i at Mānoa**

SB984 RELATING TO WORKERS' COMPENSATION PHYSICIAN

Dear Chair Ling Johanson, Vice Chair Holt, and members of the Committee on Labor & Public Employment. Thank you for hearing testimony for SB984 Related to Workers' Compensation. I am the Director of the Hawai'i State Center of Nursing and would like to testify in strong support of this measure.

In 2016, the Hawai'i State Legislature passed Act 183, which amended various statutes clarifying the role of Advanced Practice Registered Nurses (APRN) with the aims to improve access to safe, quality health care for the people of this State. S.L.H. 2016 Act 183 was drafted in collaboration with the Department of Labor and Industrial Relations (DLIR) to expand access to Workers' Compensation by means of allowing APRNs to conduct Workers' Compensation care. The amendments to Chapter 386 in S.L.H. 2016 Act 183 added APRNs to the definition of "Health Care Provider" to APRNs to treat injured workers in Hawai'i.

S.B.984 further clarifies Chapter 386 by adding APRNs to the definition of "Physician" which will enable APRNs to both treat injured workers and be compensated for their services.

These efforts to improve access to health care with the DLIR is a long partnership among state and local entities to improve the health and wellbeing established by the Hawai'i State Legislature in 2013 through H.C.R 53 H.D. 1 and S.C.R. 66 S.D. 2 which found that APRNs should practice to the full extent of their education and training, that scope of practice barriers should be removed, and that the Legislature is dedicated to addressing the needs and interests of the people of Hawai'i, including ensuring that quality health care is easily accessible to consumers throughout the State; and that APRNs may help serve these needs for the people of Hawai'i. The State Legislature also found that by state agencies aligning and modernizing applicable state statutes, APRNs would be more able to seamlessly provide quality health care to people in need, including medically underserved and rural areas.

Nationally, there is good evidence that APRNs are cost-effective and potentially cost-saving, with cost reductions ranging from 23% to 42% depending on healthcare setting, specialty, and population. Additionally, research indicates the quality of care is comparable between APRNs and MDs. Therefore,

the HSCN feels that this measure will improve access to care for individuals needing worker's compensation and will maintain the quality of the services this population receives.

Thank you for your longstanding support for APRNs, ensuring access to care for Hawai'i's people. The Hawai'i State Center for Nursing respectfully requests the favorable vote on this measure.

References:

AANP Brief: Nurse Practitioner Cost Effectiveness. (2013). Retrieved July 21, 2016, from <https://www.aanp.org/images/documents/publications/costeffectiveness.pdf>

Martin-Misener, R., Harbman, P., Donald, F., Reid, K., Kilpatrick, K., Carter, N., ... others. (2015). Cost-effectiveness of nurse practitioners in primary and specialised ambulatory care: systematic review. *BMJ Open*, 5(6), e007167.

Perloff, J., DesRoches, C. M., & Buerhaus, P. (2015). Comparing the Cost of Care Provided to Medicare Beneficiaries Assigned to Primary Care Nurse Practitioners and Physicians. *Health Services Research*. <https://doi.org/10.1111/1475-6773.12425>

Quality of Care Provided by Advanced Practice Registered Nurses (APRNs). (n.d.). Retrieved from <http://campaignforaction.org/resource/quality-care-provided-advanced-practice-registered-nurses-aprns/>

March 23, 2017/10:00 a.m.
Conference Room 309

House Committee on Labor & Public Employment

To: Representative Aaron Ling Johanson, Chair
Representative Daniel Holt, Vice Chair

From: Art Gladstone
Chief Nurse Executive, Hawaii Pacific Health
Chief Executive Officer, Pali Momi Medical Center and Straub Clinic & Hospital

Re: SB 984 – Testimony in Support

My name is Art Gladstone and I am the Chief Nurse Executive at Hawai'i Pacific Health (HPH), and the Chief Executive Officer of Pali Momi Medical Center and Straub Clinic and Hospital. Founded in 1921, Straub Medical Center includes a 159-bed hospital in Honolulu, a network of neighborhood clinics and a visiting specialist program that reaches throughout the state of Hawai'i. With over 200 physicians who are leaders in their fields, Straub provides its patients with diagnoses and treatments for more than 32 different medical specialties, including bone and joint, heart, cancer, endocrinology/diabetes, family medicine, gastroenterology, geriatric medicine, internal medicine, vascular and urology. Straub is home to the Pacific Region's only multidisciplinary burn treatment center. The hospital consistently brings new technologies and innovative medical practices to Hawai'i, such as minimally invasive cardiac surgery and total joint replacement. Straub is an affiliate of Hawai'i Pacific Health, one of the state's largest health care providers and a not-for-profit health care system with over 70 locations statewide including medical centers, clinics, physicians and other caregivers serving Hawai'i and the Pacific Region with high quality, compassionate care.

I am writing in support of SB 984 which amends the definition of "physician" in the worker's compensation law to include advanced practice registered nurses (APRNs). Act 183 (2016) amended various statutes clarifying the role of APRNs. The goal of those amendments was to improve access to safe, quality health care in the state. SB 984 further clarifies the worker's compensation law such that APRNs will be able to treat injured workers and be compensated for their services. With the shortage of physicians and other health care professionals in Hawaii, especially in rural and underserved areas, SB 984 will provide injured workers greater access to care and treatment.

Thank you for the opportunity to testify.

The Twenty-Ninth Legislature
Regular Session of 2017

HOUSE OF REPRESENTATIVES'
Committee on Labor and Public Employment
Representative Aaron Ling Johanson, Chair
Representative Daniel Holt, Vice Chair
State Capitol, Conference Room 309
Thursday, March 23, 2017; 10:00 a.m.

**STATEMENT OF THE ILWU LOCAL 142 ON S.B. 984
RELATING TO WORKERS' COMPENSATION PHYSICIAN**

The ILWU Local 142 supports S.B. 984 which amends the definition of "physician" in workers' compensation law to include advanced practice registered nurses. The ILWU is primarily concerned about injured workers being able to access medical care and receiving prompt treatment which they are entitled to by law. Section 386-21(a) of the workers' compensation law states, "so long as reasonably needed the employer shall furnish to the employee all medical care, services, and supplies as the nature of the injury requires."

The justification sheet for this administration bill states, that the JABSOM assessment of Hawaii's physician workforce projected a current shortage of 665 physicians, which will grow to a shortage of 800 physicians by the year 2020. The specialties with the greatest shortage is primary care, "particularly on the neighbor islands". They contend that the "shortage of physicians willing to treat injured workers is particularly problematic on the neighbor islands, and especially in remote areas".

This is reflected by the fact that today, you cannot find a psychologist or a psychiatrist to provide medical treatment to an employee with an industrial injury on the island of Kauai. The workers' compensation law, allows travel to another island for a doctor with the proper specialty. However, if a Kauai worker needs the services of a psychologist or psychiatrist, the situation could get complicated by a fear of flying, which has already occurred in a Kauai case.

By providing that an "advance practice registered nurse" falls under the definition of "physician" in Section 386 – 1 HRS, this will allow APRNs to be responsible for treatment of the injured worker in workers' compensation cases to the fullest extent of their training and education. This result should clearly help address the shortage of physicians willing to treat injured workers and improve access to health care services, especially on the neighbor islands.

The ILWU strongly urges passage of S.B. 984. Thank you for the opportunity to share our views on this important matter.

**Written Testimony Presented Before the
House Committee on Labor & Public Employment
March 23, 2017 10:00 AM
by
Laura Westphal, RN, MBA, CPHQ**

AONE Hawaii

SB 984 RELATING TO WORKERS' COMPENSATION PHYSICIAN

Dear Chair Ling Johanson, Vice Chair Holt, and members of the Committee on Labor & Public Employment. Thank you for hearing testimony for SB 984 Related to Workers' Compensation Physician **American Organization of Nurse Executives Hawaii (AONE Hawaii)** would like to testify in strong support of this measure.

In 2016, the Hawai'i State Legislature passed Act 183, which amended various statutes clarifying the role of Advanced Practice Registered Nurses (APRN) with the aims to improve access to safe, quality health care for the people of this State. S.L.H. 2016 Act 183 was drafted in collaboration with the Department of Labor and Industrial Relations (DLIR) to expand access to Workers' Compensation by means of allowing APRNs to conduct Workers' Compensation care. The amendments to Chapter 386 in S.L.H. 2016 Act 183 added APRNs to the definition of "Health Care Provider" to APRNs to treat injured workers in Hawai'i.

SB 984 further clarifies Chapter 386 by adding APRNs to the definition of "Physician" which will enable APRNs to both treat injured workers and be compensated for their services.

These efforts to improve access to health care with the DLIR is a long partnership among state and local entities to improve the health and wellbeing established by the Hawai'i State Legislature in 2013 through H.C.R 53 H.D. 1 and S.C.R. 66 S.D. 2 which found that APRNs should practice to the full extent of their education and training, that scope of practice barriers should be removed, and that the Legislature is dedicated to addressing the needs and interests of the people of Hawaii, including ensuring that quality health care is easily accessible to consumers throughout the State; and that APRNs may help serve these needs for the people of Hawai'i. The State Legislature also found that by state agencies aligning and modernizing applicable state statutes, APRNs would be more able to seamlessly provide quality health care to people in need, including medically underserved and rural areas.

Nationally, there is good evidence that APRNs are cost-effective and potentially cost-saving, with cost reductions ranging from 23% to 42% depending on healthcare setting, specialty, and population. Additionally, research indicates the quality of care is comparable between APRNs and MDs. Therefore, the HSCN feels that this measure will improve access to care for individuals needing worker's compensation and will maintain the quality of the services this population receives.

Thank you for your longstanding support for APRNs, ensuring access to care for Hawai'i's people. **AONE Hawaii** respectfully requests the favorable vote on this measure.

References:

- AANP Brief: Nurse Practitioner Cost Effectiveness. (2013). Retrieved July 21, 2016, from <https://www.aanp.org/images/documents/publications/costeffectiveness.pdf>
- Martin-Misener, R., Harbman, P., Donald, F., Reid, K., Kilpatrick, K., Carter, N., ... others. (2015). Cost-effectiveness of nurse practitioners in primary and specialised ambulatory care: systematic review. *BMJ Open*, 5(6), e007167.
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- Quality of Care Provided by Advanced Practice Registered Nurses (APRNs). (n.d.). Retrieved from <http://campaignforaction.org/resource/quality-care-provided-advanced-practice-registered-nurses-aprns/>



March 22, 2017

The Honorable Aaron Ling Johanson
Chairman
Hawaii State House Committee on Labor & Public Employment
Hawaii State Capitol
Room 426
415 South Beretania Street
Honolulu, Hawaii 96813

Dear Chairman Johanson:

The American Osteopathic Association (AOA) and the Hawaii Association of Osteopathic Physicians and Surgeons (HAOPS) are writing to encourage you to oppose SB 984. This bill amends the definition of “physician” in the state’s workers’ compensation laws to include Advanced Practice Registered Nurses (APRNs). This bill also expands the scope of practice for APRNs to allow them to be responsible for treatment of injured workers in workers’ compensation cases. The AOA and HAOPS oppose the use of the title “physician” by non-physician clinicians as it is likely to deceive the public by implying that the clinician is engaged in the unlimited practice of medicine. We also believe that this APRN scope of practice expansion is improper, and that health professionals’ scope of practice must be based on their level of training, education, experience and examination.

The AOA represents nearly 130,000 osteopathic physicians (DOs) and osteopathic medical students, promotes public health, encourages scientific research, serves as the primary certifying body for DOs and is the accrediting agency for osteopathic medical schools. More information on DOs/osteopathic medicine can be found at www.osteopathic.org. HAOPS is a professional medical organization that represents over 300 DOs providing patient care in Hawaii.

The AOA and HAOPS support the “team” approach to medical care because the physician-led medical model ensures that professionals with complete medical education and training are adequately involved in patient care. While we value the contributions of APRNs to the health care delivery system, the AOA and HAOPS believe any expansion of their authority to provide direct patient care without physician involvement should be directly related to additional education, training and competency demonstration requirements. Additionally, we believe that physician involvement is a key component to the delivery of high-quality, patient-centered health care.

Osteopathic medical education includes:

- **Four years of medical school**, which includes two years of didactic study totaling upwards of **750 lecture/practice learning hours** just within the first two years, plus two more years of clinical rotations done in community hospitals, major medical centers and doctors’ offices.

- **12,000 to 16,000 hours of supervised postgraduate medical education**, i.e., residencies, where DOs develop advanced knowledge and clinical skills relating to a wide variety of patient conditions.
- Hawaii-licensed DOs must complete **40 continuing medical education hours per two-year renewal period**.
- Board certified DOs also participate in **Osteopathic Continuous Certification**, a process that compares their current practice performance against established benchmarks.

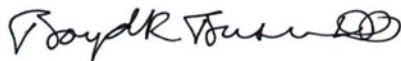
APRN education includes:

- **A two-year master's degree program**, which may be done online, and is approved by the State Board of Nursing.
- **Approved master's programs include some clinical training**, but no postgraduate medical education is required.
- Hawaii-licensed APRNs must complete **30 hours** of continuing education **every two years**.

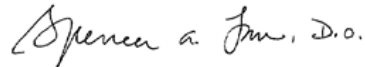
Allowing APRNs to use the title of physician is likely to deceive the public by implying that the APRN has received complete medical training and is able to provide the full scope of medical services, including the performance of surgery.

To protect the public's health and safety, health professionals' scope of practice and titles must be based on their level of training, education, experience and examination. **We urge you to protect the safety of Hawaii's patients by opposing SB 984.** Should you need any additional information, please feel free to contact Nick Schilligo, MS, Associate Vice President, State Government Affairs at nshelligo@osteopathic.org or (800) 621-1773, ext. 8185.

Sincerely,



Boyd R. Buser, DO
President, AOA



Spencer Lau, DO
President, HAOPS

CC: Mark A. Baker, DO, AOA President-elect
William J. Burke, DO, Chair, AOA Department of Governmental Affairs
Richard Thacker, DO, Chair, AOA Bureau of State Government Affairs
Adrienne White-Faines, MPA, AOA Chief Executive Officer
Laura Wooster, MPH, Senior Vice President, AOA Public Policy
Nicholas Schilligo, MS, Associate Vice President, AOA State Government Affairs
Samyuktha Gumidyala, MPH, Affiliate Executive, HAOPS

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 21, 2017 3:38 PM
To: LABtestimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for SB984 on Mar 23, 2017 10:00AM*

SB984

Submitted on: 3/21/2017

Testimony for LAB on Mar 23, 2017 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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.

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**Written Testimony Presented Before the
House Committee on Labor & Public Employment
March 23, 2017 10:00 AM
by
Lynn A. Milligan MSn, RN**

SB 984 RELATING TO WORKERS' COMPENSATION PHYSICIAN

Dear Chair Ling Johanson, Vice Chair Holt, and members of the Committee on Labor & Public Employment. Thank you for hearing testimony for SB 984 Related to Workers' Compensation Physician. **Lynn A. Milligan** would like to testify in strong support of this measure.

In 2016, the Hawai'i State Legislature passed Act 183, which amended various statutes clarifying the role of Advanced Practice Registered Nurses (APRN) with the aims to improve access to safe, quality health care for the people of this State. S.L.H. 2016 Act 183 was drafted in collaboration with the Department of Labor and Industrial Relations (DLIR) to expand access to Workers' Compensation by means of allowing APRNs to conduct Workers' Compensation care. The amendments to Chapter 386 in S.L.H. 2016 Act 183 added APRNs to the definition of "Health Care Provider" to APRNs to treat injured workers in Hawai'i.

SB 984 further clarifies Chapter 386 by adding APRNs to the definition of "Physician" which will enable APRNs to both treat injured workers and be compensated for their services.

These efforts to improve access to health care with the DLIR is a long partnership among state and local entities to improve the health and wellbeing established by the Hawai'i State Legislature in 2013 through H.C.R 53 H.D. 1 and S.C.R. 66 S.D. 2 which found that APRNs should practice to the full extent of their education and training, that scope of practice barriers should be removed, and that the Legislature is dedicated to addressing the needs and interests of the people of Hawaii, including ensuring that quality health care is easily accessible to consumers throughout the State; and that APRNs may help serve these needs for the people of Hawai'i. The State Legislature also found that by state agencies aligning and modernizing applicable state statutes, APRNs would be more able to seamlessly provide quality health care to people in need, including medically underserved and rural areas.

Nationally, there is good evidence that APRNs are cost-effective and potentially cost-saving, with cost reductions ranging from 23% to 42% depending on healthcare setting, specialty, and population. Additionally, research indicates the quality of care is comparable between APRNs and MDs. Therefore, the HSCN feels that this measure will improve access to care for individuals needing worker's compensation and will maintain the quality of the services this population receives.

Thank you for your longstanding support for APRNs, ensuring access to care for Hawai'i's people. **Lynn A. Milligan** respectfully requests the favorable vote on this measure.

References:

- AANP Brief: Nurse Practitioner Cost Effectiveness. (2013). Retrieved July 21, 2016, from <https://www.aanp.org/images/documents/publications/costeffectiveness.pdf>
- Martin-Misener, R., Harbman, P., Donald, F., Reid, K., Kilpatrick, K., Carter, N., ... others. (2015). Cost-effectiveness of nurse practitioners in primary and specialised ambulatory care: systematic review. *BMJ Open*, 5(6), e007167.
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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 22, 2017 9:46 AM
To: LABtestimony
Cc: nuyolks@gmail.com
Subject: Submitted testimony for SB984 on Mar 23, 2017 10:00AM

SB984

Submitted on: 3/22/2017

Testimony for LAB on Mar 23, 2017 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Yokouchi	Individual	Support	No

Comments: In strong support

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.

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**Written Testimony Presented Before the
House Committee on Labor & Public Employment
March 23, 2017 10:00 AM
by
Susan Lee BSN, RN, WCC**

SB 984 RELATING TO WORKERS' COMPENSATION PHYSICIAN

Dear Chair Ling Johanson, Vice Chair Holt, and members of the Committee on Labor & Public Employment. Thank you for hearing testimony for SB 984 Related to Workers' Compensation Physician. **Susan Lee** would like to testify in strong support of this measure.

In 2016, the Hawai'i State Legislature passed Act 183, which amended various statutes clarifying the role of Advanced Practice Registered Nurses (APRN) with the aims to improve access to safe, quality health care for the people of this State. S.L.H. 2016 Act 183 was drafted in collaboration with the Department of Labor and Industrial Relations (DLIR) to expand access to Workers' Compensation by means of allowing APRNs to conduct Workers' Compensation care. The amendments to Chapter 386 in S.L.H. 2016 Act 183 added APRNs to the definition of "Health Care Provider" to APRNs to treat injured workers in Hawai'i.

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Thank you for your longstanding support for APRNs, ensuring access to care for Hawai'i's people. **Susan Lee** respectfully requests the favorable vote on this measure.

References:

AANP Brief: Nurse Practitioner Cost Effectiveness. (2013). Retrieved July 21, 2016, from <https://www.aanp.org/images/documents/publications/costeffectiveness.pdf>

Martin-Misener, R., Harbman, P., Donald, F., Reid, K., Kilpatrick, K., Carter, N., ... others. (2015). Cost-effectiveness of nurse practitioners in primary and specialised ambulatory care: systematic review. *BMJ Open*, 5(6), e007167.

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**Written Testimony Presented Before the
House Committee on Labor & Public Employment
March 23, 2017 10:00 AM
by
Eve Teeter-Balin, RN**

SB 984 RELATING TO WORKERS' COMPENSATION PHYSICIAN

Dear Chair Ling Johanson, Vice Chair Holt, and members of the Committee on Labor & Public Employment. Thank you for hearing testimony for SB 984 Related to Workers' Compensation Physician. I would like to testify in strong support of this measure.

In 2016, the Hawai'i State Legislature passed Act 183, which amended various statutes clarifying the role of Advanced Practice Registered Nurses (APRN) with the aims to improve access to safe, quality health care for the people of this State. S.L.H. 2016 Act 183 was drafted in collaboration with the Department of Labor and Industrial Relations (DLIR) to expand access to Workers' Compensation by means of allowing APRNs to conduct Workers' Compensation care. The amendments to Chapter 386 in S.L.H. 2016 Act 183 added APRNs to the definition of "Health Care Provider" to APRNs to treat injured workers in Hawai'i.

SB 984 further clarifies Chapter 386 by adding APRNs to the definition of "Physician" which will enable APRNs to both treat injured workers and be compensated for their services.

These efforts to improve access to health care with the DLIR is a long partnership among state and local entities to improve the health and wellbeing established by the Hawai'i State Legislature in 2013 through H.C.R 53 H.D. 1 and S.C.R. 66 S.D. 2 which found that APRNs should practice to the full extent of their education and training, that scope of practice barriers should be removed, and that the Legislature is dedicated to addressing the needs and interests of the people of Hawaii, including ensuring that quality health care is easily accessible to consumers throughout the State; and that APRNs may help serve these needs for the people of Hawai'i. The State Legislature also found that by state agencies aligning and modernizing applicable state statutes, APRNs would be more able to seamlessly provide quality health care to people in need, including medically underserved and rural areas.

Nationally, there is good evidence that APRNs are cost-effective and potentially cost-saving, with cost reductions ranging from 23% to 42% depending on healthcare setting, specialty, and population. Additionally, research indicates the quality of care is comparable between APRNs and MDs. Therefore, the HSCN feels that this measure will improve access to care for individuals needing worker's compensation and will maintain the quality of the services this population receives.

Thank you for your longstanding support for APRNs, ensuring access to care for Hawai'i's people. I respectfully request the favorable vote on this measure.

References:

- AANP Brief: Nurse Practitioner Cost Effectiveness. (2013). Retrieved July 21, 2016, from <https://www.aanp.org/images/documents/publications/costeffectiveness.pdf>
- Martin-Misener, R., Harbman, P., Donald, F., Reid, K., Kilpatrick, K., Carter, N., ... others. (2015). Cost-effectiveness of nurse practitioners in primary and specialised ambulatory care: systematic review. *BMJ Open*, 5(6), e007167.
- Perloff, J., DesRoches, C. M., & Buerhaus, P. (2015). Comparing the Cost of Care Provided to Medicare Beneficiaries Assigned to Primary Care Nurse Practitioners and Physicians. *Health Services Research*. <https://doi.org/10.1111/1475-6773.12425>
- Quality of Care Provided by Advanced Practice Registered Nurses (APRNs). (n.d.). Retrieved from <http://campaignforaction.org/resource/quality-care-provided-advanced-practice-registered-nurses-aprns/>

**Written Testimony Presented Before the
House Committee on Labor & Public Employment
March 23, 2017 10:00 AM**

**by
Brendon Friedman, DNP, MBA, APRN-Rx, FNP-BC**

Family Nurse Practitioner, Assistant Professor, & Private Practice Business Owner

SB 984 RELATING TO WORKERS' COMPENSATION PHYSICIAN

Dear Chair Ling Johanson, Vice Chair Holt, and members of the Committee on Labor & Public Employment. Thank you for hearing testimony for SB 984 Related to Workers' Compensation Physician. I am in strong support of this measure.

In 2016, the Hawai'i State Legislature passed Act 183, which amended various statutes clarifying the role of Advanced Practice Registered Nurses (APRN) with the aims to improve access to safe, quality health care for the people of this State. S.L.H. 2016 Act 183 was drafted in collaboration with the Department of Labor and Industrial Relations (DLIR) to expand access to Workers' Compensation by means of allowing APRNs to conduct Workers' Compensation care. The amendments to Chapter 386 in S.L.H. 2016 Act 183 added APRNs to the definition of "Health Care Provider" to APRNs to treat injured workers in Hawai'i.

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Nationally, there is good evidence that APRNs are cost-effective and potentially cost-saving, with cost reductions ranging from 23% to 42% depending on healthcare setting, specialty, and population. Additionally, research indicates the quality of care is comparable between APRNs and MDs. Therefore, the HSCN feels that this measure will improve access to care for individuals needing worker's compensation and will maintain the quality of the services this population receives.

Thank you for your longstanding support for APRNs, ensuring access to care for Hawai'i's people.
A big mahalo for the opportunity to testify in strong support of SB 984.

References:

- AANP Brief: Nurse Practitioner Cost Effectiveness. (2013). Retrieved July 21, 2016, from <https://www.aanp.org/images/documents/publications/costeffectiveness.pdf>
- Martin-Misener, R., Harbman, P., Donald, F., Reid, K., Kilpatrick, K., Carter, N., ... others. (2015). Cost-effectiveness of nurse practitioners in primary and specialised ambulatory care: systematic review. *BMJ Open*, 5(6), e007167.
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- Quality of Care Provided by Advanced Practice Registered Nurses (APRNs). (n.d.). Retrieved from <http://campaignforaction.org/resource/quality-care-provided-advanced-practice-registered-nurses-aprns/>

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SB984

Submitted on: 3/22/2017

Testimony for LAB on Mar 23, 2017 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Margaret Maupin	Individual	Support	No

Comments:

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SB984

Submitted on: 3/22/2017

Testimony for LAB on Mar 23, 2017 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine Finn Davis	Individual	Support	No

Comments:

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SB984

Submitted on: 3/22/2017

Testimony for LAB on Mar 23, 2017 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Joan Craft RN	Individual	Support	No

Comments: Dear Chair Ling Johanson, Vice Chair Holt, and members of the Committee on Labor & Public Employment. Because the cost of Healthcare is continuing to rise alongside a projected shortage of physicians increasing the capacity of primary care providers, in this case, Nurse Practitioners, makes sense. Thank you for your consideration, Joan Craft RN (Staff Nurse)

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SB 984

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SB984

Submitted on: 3/22/2017
Testimony for LAB on Mar 23, 2017 10:00AM in Conference Room 309

Submitted By	Organization	Testifier Position	Present at Hearing
Jerris Hedges	Individual	Oppose	No

Comments: Aloha esteemed legislative colleagues, Although I am supportive of permitting actively licensed advanced practice registered nurse (APRN) practitioners with clinical experience do disability assessments, I am opposed to labeling APRNs as physicians. That expediency appears to be one of expediency in passing this bill with minimal effort. That expediency has the potential of misleading the public in regards to the training, experience, and practice expectations of physicians (MD/DO) versus advanced nurse practitioners. Why cannot the bill simply say that a "currently licensed Physician or APRN" may perform disability assessments? Why must the bill relabel APRNs as Physicians? Jerris Hedges, MD Dean, John A. Burns School of Medicine

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DAVID Y. IGE
GOVERNOR
SHAN S. ISUI SUI
LIEUTENANT GOVERNOR



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DLIR-Final

LINDA CHU TAKAYAMA
DIRECTOR
LEONARD HOSHIJO
DEPUTY DIRECTOR

LATE
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March 22, 2017

To: The Honorable Aaron Ling Johanson, Chair,
The Honorable Daniel Holt, Vice Chair, and
Members of the House Committee on Labor and Public Employment

Date: Thursday, March 23, 2017
Time: 10:00 a.m.
Place: Conference Room 309, State Capitol

From: Linda Chu Takayama, Director
Department of Labor and Industrial Relations (DLIR)

Re: S.B. No. 984 Relating to Workers' Compensation Physician

I. OVERVIEW OF PROPOSED LEGISLATION

This proposal amends section 386-1, Hawaii Revised Statutes (HRS), of the Workers' Compensation Law to include Advanced Practice Registered Nurses ("APRN") in the definition of physician.

The Department strongly supports this DLIR proposal that will help alleviate the shortage of physicians willing to treat injured workers. DLIR believes that allowing APRNs to treat injured workers as the physician will help alleviate this shortage and improve access to health care services, *especially* on the Neighbor Islands.

II. CURRENT LAW

Section 386-1 defines "physician" as including a doctor of medicine, a dentist, a chiropractor, an osteopath, a naturopathic physician, a psychologist, an optometrist, and a podiatrist.

Act 183, effective July 1, 2016, added APRNs under chapter 457, HRS, to the definition of "health care provider" allowing their participation as health care providers. However, by definition in 386-1, HRS, APRN's cannot be responsible for the treatment of injured workers unless, "...under the direction of the attending physician" per section 12-15-31(c) of the Workers' Compensation Medical Fee Schedule Administrative Rules.

III. COMMENTS ON THE SENATE BILL

The intent of the Workers' Compensation law is to provide adequate and proper medical care to injured workers to insure maximum medical improvement of conditions resulting from industrial injuries and to return injured workers to the work force as quickly as the process allows. This proposal will allow APRNs to be responsible for treatment of injured workers in workers' compensation cases to the fullest extent of their training and education.

The University of Hawaii at Mānoa, John A. Burns - School of Medicine (JABSOM) reported findings from the Hawaii Physician Workforce Assessment Project to the 2015 Legislature, in accordance with Act 18 (Special Session Laws of Hawaii 2009) as amended by Act 186 (Session Laws of Hawaii 2012). The report indicated that there was a shortage of 665 physicians or twenty per cent in Hawaii and that a best-case scenario for future workforce numbers is that by 2020 Hawaii will have a shortage of 800 physicians.

The physician specialties with the greatest shortages are primary care, particularly on the Neighbor Islands, as well as other specialties, many of which are needed by injured workers.

Exacerbating the physician shortage in workers' compensation is the refusal or reluctance of physicians to take injured workers as patients due to the paperwork and litigious nature of the workers' compensation system, which was designed to function in a more informal manner. The shortage of physicians willing to treat injured workers is particularly problematic on the Neighbor Islands, and especially so in remote areas.

DLIR believes that allowing APRNs to treat injured workers as the physician will help alleviate this shortage and improve access to health care services, particularly on the Neighbor Islands.