

JAN 24 2018

A BILL FOR AN ACT

RELATING TO PHYSICIAN ASSISTANTS.

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

1 SECTION 1. The legislature finds that Hawaii is facing a
2 critical physician shortage. The University of Hawaii's most
3 recent physician workforce assessment found that Oahu needs
4 three hundred eighty-one physicians, the Big Island is short one
5 hundred ninety-six physicians, Maui county has a deficit of one
6 hundred thirty-nine physicians and Kauai needs fifty-three
7 physicians. Physician assistants, like nurse practitioners, can
8 help fill this need.

9 The legislature further finds that physician assistants
10 undergo rigorous medical training. They must take a test in
11 general medicine in order to be licensed and certified, and they
12 must graduate from an accredited physician assistant program and
13 pass a certification exam. Like physicians and nurse
14 practitioners, physician assistants must complete extensive
15 continuing medical education throughout their careers. Studies
16 have shown that when physician assistants practice to the full
17 extent of their abilities and training, hospital readmission



1 rates and lengths of stay decrease and infection rates go down.
2 A Harris poll found extremely high satisfaction rates among
3 Americans who interact with physician assistants. The survey
4 found that ninety-three per cent of respondents regard physician
5 assistants as trusted healthcare providers, ninety-two per cent
6 of respondents said that having a physician assistant makes it
7 easier to get a medical appointment, and ninety-one per cent of
8 respondents believe that physician assistants improve the
9 quality of healthcare.

10 The legislature further finds that current requirements for
11 the license renewal of physician assistants is overly burdensome
12 and discourages individuals from entering the profession.
13 Hawaii is one of a minority of states that mandate both
14 continuing education requirements and certification by the
15 National Commission of Certification of Physician Assistants for
16 the renewal of a physician assistant license. More than thirty
17 states allow physician assistants to renew their licenses by
18 meeting continuing education requirements only.

19 The legislature believes that Hawaii's licensing standard
20 for physician assistants should be aligned with the majority of



1 states and the growth of the physician assistant profession
2 should be encouraged.

3 The purpose of this Act is to allow physician assistants to
4 renew their licenses by meeting continuing education
5 requirements only.

6 SECTION 2. Section 453-5.3, Hawaii Revised Statutes, is
7 amended to read as follows:

8 "§453-5.3 Physician assistant; licensure required. (a)

9 The Hawaii medical board shall require each person practicing
10 medicine under the supervision of a physician or osteopathic
11 physician, other than a person licensed under section 453-3, to
12 be licensed as a physician assistant. A person who is trained
13 to do only a very limited number of diagnostic or therapeutic
14 procedures under the direction of a physician or osteopathic
15 physician shall not be deemed a practitioner of medicine or
16 osteopathy and therefore does not require licensure under this
17 section.

18 (b) The board shall establish medical educational and
19 training standards with which a person applying for licensure as
20 a physician assistant shall comply. The standards shall be at



1 least equal to recognized national education and training
2 standards for physician assistants.

3 (c) Upon satisfactory proof of compliance with the
4 required medical educational and training standards, the board
5 may grant state licensure to a person who has been granted
6 certification based upon passage of a national certifying
7 examination and who holds a current certificate from the
8 national certifying entity approved by the board.

9 (d) The board shall approve temporary licensure of an
10 applicant under this section. The applicant shall have
11 graduated from a board approved training program within twelve
12 months of the date of application and never taken a national
13 certifying examination approved by the board but otherwise meets
14 the requirements of this section. The applicant shall file a
15 complete application with the board and pay all required fees.
16 If the applicant fails to apply for, or to take, the first
17 examination scheduled by the board following the issuance of the
18 temporary license, fails to pass the examination, or fails to
19 receive licensure, all privileges under this section shall
20 automatically cease upon written notification sent to the



1 applicant by the board. A temporary license shall be issued
2 only once to each person.

3 (e) Prior to practicing under temporary licensure, holders
4 of temporary licenses shall notify the board in writing of any
5 and all supervising physicians or osteopathic physicians under
6 whom they will be performing services.

7 (f) The board shall establish the degree of supervision
8 required by the supervising physician or osteopathic physician
9 when a physician assistant performs a service within the
10 practice of medicine. A physician or osteopathic physician who
11 does not supervise a physician assistant's services at the
12 degree required by the board shall be deemed to have engaged in
13 professional misconduct.

14 (g) Any license of a physician assistant may be denied,
15 not renewed, revoked, limited, or suspended under section 453-8.

16 (h) The board shall establish the application procedure,
17 medical educational and training standards, examination
18 requirement, if any, and degrees of supervision by rule.

19 (i) Every person holding a license under this section
20 shall apply for renewal with the board no later than January 31
21 of each even-numbered year and pay a renewal fee. Failure to



1 apply for renewal shall constitute a forfeiture of the license
2 that may only be restored upon written application for
3 restoration and payment to the board of a restoration fee.

4 (j) Prior to each license renewal, a person holding a
5 license under this section shall furnish the board with proof of
6 completion during the time period subsequent to the person's
7 previous license renewal of continuing education as required by
8 the board; provided that the board shall not require a physician
9 assistant to maintain or receive certification by the National
10 Commission of Certification of Physician Assistants to satisfy
11 the continuing education requirement or for license renewal.

12 [~~(j)~~] (k) A license that has been forfeited for one
13 renewal term shall be automatically terminated and cannot be
14 restored. A new application for licensure shall be required."

15 SECTION 3. This Act does not affect rights and duties that
16 matured, penalties that were incurred, and proceedings that were
17 begun before its effective date.

18 SECTION 4. Statutory material to be repealed is bracketed
19 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY:

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S.B. NO. 3074

Report Title:

Physician Assistants; Licensing Renewals

Description:

Requires continuing education for physician assistants to renew their licenses. Prohibits the Hawaii Medical Board from requiring a physician assistant to maintain or receive certification by the National Commission of Certification of Physician Assistants to satisfy the requirement for continuing education or for license renewal.

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