

SB 2653

SD1

A BILL FOR AN ACT

RELATING TO CHAPTER 453, HAWAII REVISED STATUTES.

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

1 SECTION 1. The legislature finds that one of the goals of
2 medical licensure should be to establish access to quality
3 medical care and overcome geographic barriers.

4 The legislature further finds that additional barriers such
5 as availability and access may exist which can impede licensure
6 in Hawaii of qualified physicians, surgeons, and osteopathic
7 physicians. The legislature additionally finds that licensure
8 by endorsement will provide an expedited and efficient process
9 for a qualified physician, surgeon, or osteopathic physician to
10 become licensed and provide quality medical care in Hawaii.

11 Accordingly, the purpose of this Act is to establish
12 requirements for the licensure by endorsement of physicians,
13 surgeons, and osteopathic physicians to practice in Hawaii.

14 SECTION 2. Chapter 453, Hawaii Revised Statutes, is
15 amended by adding a new section to be appropriately designated
16 and to read as follows:



1 "§453- Licensure by endorsement. (a) The board may
2 issue a license by endorsement to a physician, surgeon, or
3 osteopathic physician if:
4 (1) The applicant:
5 (A) Files an application and pays fees as prescribed
6 by the board;
7 (B) Holds a current, unencumbered, active license in
8 a jurisdiction that requires qualifications
9 substantially equivalent to or greater than the
10 qualifications for licensure in this State as
11 specified in section 453-4; and
12 (C) Submits proof satisfactory to the board that the
13 applicant has actively practiced medicine in
14 another jurisdiction for at least two of the
15 immediate preceding five years; and
16 (2) The board determines that no disciplinary action has
17 been taken by any medical licensing authority and the
18 applicant has not been the subject of adverse
19 judgments or settlements resulting from the practice
20 of medicine that the board determines constitute
21 evidence of a pattern of negligence or incompetence.



1 (b) The board may require an applicant seeking licensure
2 by endorsement to take and pass the Special Purpose Examination
3 (SPEX) or the Comprehensive Osteopathic Medical Variable-Purpose
4 Examination - USA (COMVEX-USA) to assist the board in
5 determining the applicant's ability to safely and competently
6 engage in the practice of medicine."

7 SECTION 3. The department of commerce and consumer affairs
8 may employ necessary personnel without regard to chapter 76,
9 Hawaii Revised Statutes, to assist with the implementation and
10 continuing functions of this Act.

11 SECTION 4. There is appropriated out of the compliance
12 resolution fund established pursuant to section 26-9(o), Hawaii
13 Revised Statutes, the sum of \$ or so much thereof as may
14 be necessary for fiscal year 2018-2019 for purposes of
15 implementing this Act.

16 The sum appropriated shall be expended by the department of
17 commerce and consumer affairs for the purposes of this Act.

18 SECTION 5. New statutory material is underscored.

19 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Physicians; Surgeons; Osteopathic Physicians; Licensure;
Licensure by Endorsement; Appropriation

Description:

Establishes requirements for licensure by endorsement for
physicians, surgeons, and osteopathic physicians. Appropriates
moneys. Effective 7/1/2050. (SD1)

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



**PRESENTATION OF THE
HAWAII MEDICAL BOARD**

TO THE HOUSE COMMITTEE ON
CONSUMER PROTECTION AND COMMERCE

TWENTY-NINTH LEGISLATURE
Regular Session of 2018

Wednesday, March 21, 2018
2:15 p.m.

**TESTIMONY ON SENATE BILL NO. 2653, S.D. 1, RELATING TO CHAPTER 453,
HAWAII REVISED STATUTES.**

TO THE HONORABLE ROY M. TAKUMI, CHAIR, AND MEMBERS OF THE
COMMITTEE:

My name is Ahlani Quiogue, and I am the Executive Officer of the Hawaii Medical Board ("Board"). Thank you for the opportunity to testify in strong support of S.B. 2653, S.D.1, Relating to Chapter 453, Hawaii Revised Statutes.

S.B. 2653, S.D. 1 establishes licensing requirements by endorsement for physicians, surgeons, and osteopathic physicians to practice in Hawaii. S.D. 1 amends this measure by changing the effective date to July 1, 2050.

Between January 2016 and December 2017, the Board received over 1,000 applications from physicians who are licensed in other jurisdictions and/or have a mailing address in another jurisdiction. The Board believes licensure by endorsement will provide greater access to medical care in Hawaii and will address the high volume of applications received from out-of-state physicians through a more expeditious and streamlined process.

In addition, this measure provides the Board the ability to expedite a license but remain committed to its legislative mandate to protect Hawaii consumers from unsafe and incompetent practitioners. The measure clearly ensures the Board may only license: (1) a physician who meets the license requirements set forth in Hawaii Revised Statutes ("HRS") section 453-4; and (2) a physician who holds an unencumbered license and has not been previously disciplined by another medical or osteopathic

medical board. The Board would not, in any way, cede its vetting of an application to another jurisdiction.

For the Committee's additional information, about forty-nine percent of state medical or osteopathy licensing boards allow for licensure by endorsement and/or reciprocity.

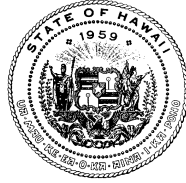
For the Board to carry out this measure, the Board strongly supports section 4 of this bill, which appropriates an unspecified sum from the Compliance Resolution Fund for purposes of implementing this Act. For the Committee's information, the Board is requesting two FTEs: one Office Assistant IV¹ and one Office Assistant V².

Lastly, the Board understands the purpose of this measure's defective date of July 1, 2050; however, the Board respectfully requests that the measure become effective upon approval, provided that section 2 of this bill be effective December 31, 2018, to allow the Department of Commerce and Consumer Affairs to recruit and employ the two FTEs, as requested in section 4 of this bill.

Thank you for the opportunity to testify in strong support of S.B. 2653, S.D. 1.

¹ OA-IV salary + fringe = \$50,000.00

² OA-V salary + fringe = \$54,000.00



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony in SUPPORT of SB2653 SD1
RELATING TO CHAPTER 453, HAWAII REVISED STATUTES.**

REP. ROY M. TAKUMI, CHAIR
HOUSE COMMITTEE ON CONSUMER PROTECTION & COMMERCE
Hearing Date: March 21, 2018 Room Number: 329

1 **Fiscal Implications:** 2.0 FTE and unspecified appropriations request from the Compliance
2 Resolution special fund.

3 **Department Testimony:** Hawaii has a physician shortage of about 500 physicians, and as a
4 result the Department of Health (DOH) **strongly supports** SB2653 SD1, which authorizes an
5 expedited process to grant licenses that does not cede decision-making to another jurisdiction.

6 The proliferation of technology and changes in the health care marketplace are making physician
7 recruitment more competitive. Responsiveness to providers willing to practice in Hawaii,
8 whether full-time, part-time, or via telehealth, is critical for local health systems and their
9 patients. Wait times for medical licenses depend greatly on the resources required to thoroughly
10 verify a provider's credentials (education, disciplinary actions, etc.). Enactment of this measure
11 with the requisite resources will diminish wait times through administrative simplification, which
12 was a recommendation of the Physician Workforce Research Team, authorized and funded by
13 the Legislature (Act 18, SSLH 2009).

14 Both the legal authority to implement licensure by endorsement and the requested resources in
15 Bill Section 4 from the Department of Commerce and Consumer Affairs (DCCA) are necessary
16 and endorsed DOH.

17 **Offered Amendments:** N/A.



March 21, 2018 at 2:15 PM
Conference Room 329

House Committee on Consumer Protection and Commerce

To: Chair Roy M. Takumi
Vice Chair Linda Ichiyama

From: Paige Heckathorn
Senior Manager, Legislative Affairs
Healthcare Association of Hawaii

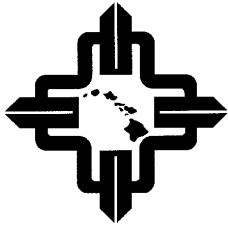
Re: **Testimony in Support**
SB 2653 SD 1, Relating to Chapter 453, Hawaii Revised Statutes

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the health care continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing over 20,000 people statewide.

We would like to thank the committee for the opportunity to **support** SB 2653 SD 1, which would allow physicians, surgeons, and osteopathic physicians to receive licensure by endorsement. There is currently a physician shortage in the state, with one recent report finding that there was a shortage of 769 physicians, an eight percent increase over the previous year. This creates issues with access to timely, quality care, especially on the neighbor islands. This shortage is projected to worsen in the coming years and decades, especially as the state's population ages.

Efforts to bring in qualified physicians in a more efficient manner will be important to address the current and future issues we have with access to quality care. This measure would allow for a more streamlined process that can help our state address the current and future physician shortage, while protecting the ability of the Hawaii Medical Board (HMB) to ensure that necessary standards are met. Ensuring that HMB has sufficient resources to carry out this measure is also important, and will help achieve the goal of increasing access to care for residents in the state.

Thank you for your consideration of this matter.



HAWAII HEALTH SYSTEMS
C O R P O R A T I O N

"Quality Healthcare For All"

House Committee on Consumer Protection & Commerce
Representative Roy M. Takumi, Chair
Representative Linda Ichiyama, Vice Chair

March 21, 2018
Conference Room 329
2:15 p.m.
Hawaii State Capitol

Testimony Supporting Senate Bill 2653, SD1 Relating to Chapter 453, Hawaii Revised Statutes. Establishes requirements for licensure by endorsement for physicians, surgeons, and osteopathic physicians. Appropriates monies. Effective 7/1/2050.

Linda Rosen, M.D., M.P.H.
Chief Executive Officer
Hawaii Health Systems Corporation


On behalf of the Hawaii Health Systems Corporation (HHSC) Corporate Board of Directors, we are in support of SB 2653, SD1.

Thank you for the opportunity to testify.



THE QUEEN'S HEALTH SYSTEMS

To: The Honorable Roy M. Takumi, Chair
The Honorable Linda Ichiyama, Vice Chair
Members, Committee on Consumer Protection & Commerce

From: 
Paula Yoshioka, Vice President of Government Relations and External Affairs, The
Queen's Health Systems

Date: March 20, 2018

Hrg: House Committee on Consumer Protection & Commerce Hearing; Wednesday, March
21, 2018 at 2:15PM in Room 329

Re: **Support for SB 2653, SD1, Relating to Chapter 453, Hawaii Revised Statutes**

My name is Paula Yoshioka and I am the Vice President of Government Relations and External Affairs at The Queen's Health Systems (Queen's). Queen's **supports** SB 2653, SD1, Relating to Chapter 453, Hawaii Revised Statutes. This bill establishes requirements for licensure by endorsement for physicians, surgeons, and osteopathic physicians.

At Queen's we are committed to providing care for all the people of Hawaii. Currently, there is a critical health care provider shortage in nearly every field in Hawaii. As our population ages and more physicians retire, the provider shortage issue will worsen over time. We believe that efforts to attract qualified out-of-state physicians to practice in Hawaii is an essential part of finding a solution to this issue.

This measure allows the Department of Commerce and Consumer Affairs to create a more streamlined licensing process that will help with physician recruitment by reducing the burden and time constraints of relicensing. Implementing a process to license out-of-state physicians by endorsement allows the Hawaii Medical Board to recognize the qualifications and licensed status of another state, while ensuring that necessary standards are met. We support the concept of a streamlined licensing process and look forward to its implementation.

Thank you for your time and attention to this important issue.

The mission of The Queen's Health Systems is to fulfill the intent of Queen Emma and King Kamehameha IV to provide in perpetuity quality health care services to improve the well-being of Native Hawaiians and all of the people of Hawai'i.

Wednesday, March 21, 2018 at 2:15 PM
Conference Room 329

House Committee on Consumer Protection & Commerce

To: Representative Roy Takumi, Chair
Representative Linda Ichiyama, Vice Chair

From: Kenneth Robbins, MD
CMO, Hawaii Pacific Health

Re: Testimony in Support of SB 2653, SD1 – Relating to Chapter 453, Hawaii Revised Statutes

My name is Kenneth Robbins, MD. I am the Chief Medical Officer for Hawai'i Pacific Health. Hawai'i Pacific Health is 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. Its four medical centers – Kapi'olani, Pali Momi, Straub and Wilcox – specialize in innovative programs in women's health, pediatric care, cardiovascular services, cancer care, bone and joint services and more. Hawai'i Pacific Health is recognized nationally for its excellence in patient care and the use of electronic health records to improve quality and patient safety.

I write in support of SB 2653, SD1 which establishes a system for licensure by endorsement for physicians, surgeons and osteopathic physicians. Licensure by endorsement provides an efficient, safe and expedient process by which these healthcare providers from out of state may become licensed in Hawaii.

Hawaii is facing a critical shortage of healthcare providers in nearly every field of practice. For example, in the case of primary care physicians, the shortage is now calculated at 282 physicians statewide. This shortfall is projected to worsen with the increased demand for health care from an aging population and the retirement of an aging physician population creating access issues on Oahu and the neighbor islands. The shortfall impacts the ability of our communities to access needed healthcare in a timely fashion.

Additionally, another barrier to access to care is the limitation placed on physicians seeking to relocate to Hawaii to practice by the requirements of obtaining a license to practice in the state, many of whom are fully qualified and licensed in another

jurisdiction. Implementing a process to license out-of-state physicians by endorsement enables the Hawaii Board of Medical Examiners to recognize the qualifications and licensed status of another state and reduces the burden and time constraints of relicensing.

Thank you for the opportunity to provide testimony.

SB-2653-SD-1

Submitted on: 3/19/2018 7:43:51 PM

Testimony for CPC on 3/21/2018 2:15:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Elena Cabatu	Hilo Medical Center	Support	No

Comments:

Hilo Medical Center fully supports SB 2653 SD1.



**Testimony to the House Committee on Consumer Protection and Commerce
Wednesday, March 21, 2018; 2:15 p.m.
State Capitol, Conference Room 329**

**RE: SUPPORTING SENATE BILL NO. 2653, SENATE DRAFT 1, RELATING TO CHAPTER 453,
HAWAII REVISED STATUTES.**

Chair Takumi, Vice Chair Ichiyama, and Members of the Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** Senate Bill No. 2653, Senate Draft 1, RELATING TO CHAPTER 453, HAWAII REVISED STATUTES.

The bill, as received by your Committee, would:

- (1) Allow the Hawaii Medical Board (Board) to issue licenses by endorsement to a physician, surgeon, or osteopathic physician if certain conditions are met;
- (2) Authorize the Board to require an applicant seeking licensure by endorsement to take and pass the Special Purpose Examination or the Comprehensive Osteopathic Medical Variable-Purpose Examination -- USA to assist the Board in determining the applicant's ability to safely and competently engage in the practice of medicine;
- (3) Allow the Department of Commerce and Consumer Affairs (DCCA) to employ civil service-exempt staff to implement the foregoing provisions;
- (4) Appropriate an unspecified amount of funds for fiscal year 2018-2019 from the Compliance Resolution Fund to implement the foregoing provisions; and
- (5) Takes effect on July 1, 2050, to facilitate continued discussion.

Testimony on Senate Bill No. 2653, Senate Draft 1
Wednesday, March 21, 2018; 2:15 p.m.
Page 2

Federally Qualified Health Centers (FQHCs) provide desperately needed medical services at the frontlines in rural communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of health.

The State of Hawaii is experiencing a severe shortage of health care professionals in the workforce, especially in rural areas. Recent studies note that the current shortage of physicians is at 20% of the total full-time equivalent positions throughout the State. The shortage is especially severe in the fields of primary care, infectious diseases, colorectal surgery, pathology, general surgery, pulmonology, neurology, neurosurgery, orthopedic surgery, family medicine, cardiothoracic surgery, rheumatology, cardiology, hematology/oncology, and pediatric subspecialties of endocrinology, cardiology, neurology, hematology/oncology, and gastroenterology.

This bill would appear to clarify the Board's authority to license physicians, surgeons, and osteopathic physicians by endorsement. Accordingly we commend this effort and wish to participate in any and all discussions concerning the expedited licensure of health care professionals.

For these reasons, we **SUPPORT** this measure and urge your favorable consideration.

In advance, thank you for your consideration of our testimony.



HAWAII MEDICAL ASSOCIATION

1360 S. Beretania Street, Suite 200, Honolulu, Hawaii 96814
Phone (808) 536-7702 Fax (808) 528-2376
www.hawaiimedicalassociation.org

TO:

[COMMITTEE ON CONSUMER PROTECTION & COMMERCE](#)

Rep. Roy M. Takumi, Chair

Rep. Linda Ichiyama, Vice Chair

DATE: Wednesday, March 21, 2018

TIME: 2:15 P.M.

PLACE: Conference Room 329

FROM:

Hawaii Medical Association

Dr. Christopher Flanders, DO, Executive Director

Lauren Zirbel, Community and Government Relations

Re: SB 2653 – Relating to Chapter 453, Hawaii Revised Statutes

Position: SUPPORT

On behalf of the physician and medical student members of the Hawaii Medical Association, we are writing regarding our ongoing commitment to reform of the health care system.

The HMA is in support of SB 2653, which establishes a system for licensure by endorsement for physicians, surgeons and osteopathic physicians. Licensure by endorsement provides an efficient, safe and expedient process by which these healthcare providers from out of state may become licensed in Hawaii while preventing physicians with any disciplinary action in another state from accessing this process.

The University of Hawaii's Physician Workforce Assessment found Oahu needs 381 physicians, up from 339 last year, while the Big Island is short 196 providers, compared with the 183 needed last year. Maui County has a deficit of 139, up from 125, while Kauai needs 53 doctors, down from 62.

Primary care providers are the largest group in short supply, followed by infectious disease specialists on Oahu and Kauai, colorectal surgeons on the Big Island and geriatric doctors in Maui County.

Hawaii is facing a critical shortage of healthcare providers in nearly every field of practice. This shortfall is projected to worsen with the increased demand for health care from an aging population and the retirement of an aging physician population creating access issues on Oahu and the neighbor islands. The shortfall impacts the ability of our communities to access needed healthcare in a timely fashion.

HMA OFFICERS

President – William Wong, Jr., MD President-Elect – Jerry Van Meter, MD Secretary – Thomas Kosasa, MD
Immediate Past President – Bernard Robinson, MD Treasurer – Elizabeth A. Ignacio, MD
Executive Director – Christopher Flanders, DO



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Additionally, another barrier to access to care is the limitation placed on physicians seeking to relocate to Hawaii to practice by the requirements of obtaining a license to practice in the state, many of whom are fully qualified and licensed in another jurisdiction. Implementing a process to license out-of-state physicians by endorsement enables the Hawaii Board of Medical Examiners to recognize the qualifications and licensed status of another state and reduces the burden and time constraints of relicensing.

This measure provides the Board the ability to expedite a license but remain committed to its legislative mandate to protect Hawaii consumers from unsafe and incompetent practitioners. The measure clearly ensures the Board may only license: (1) a physician who meets the license requirements set forth in Hawaii Revised Statutes (“HRS”) section 453-4; and (2) a physician that holds an unencumbered license and has not been previously disciplined by another medical or osteopathic medical board. The Board would not, in any way, cede its vetting of an application to another jurisdiction.

Thank you for the opportunity to provide testimony.

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