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**SB 726 RELATING TO HEALTH CARE PRACTITIONERS**

**Written Testimony submitted by**

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Aloha Chair Baker, Vice Chair Nishihara and members of the Senate Committee on Commerce, Consumer Protection, and Health. Mahalo for this opportunity to provide testimony in strong opposition to SB 726, Relating to Health Care Practitioners.

I am not in support of this bill and I have several points which when considered would lead the committee and members to conclude this bill is unnecessary and a waste of time for legislators to consider since it will not yield added benefit or protection for the people of Hawaii that does not already exist in our revised statutes.

The bill asserts that "ample evidence exists of providers who are not medical doctors or doctors of osteopathic medicine holding themselves out as such" but fails to provide any evidence of these practices. It also fails to recognize that such activity, if it were to exist, is already governed by the state revised statutes.

This Healthcare Professional Transparency Bill is also inconsistent in its approach to the issue of false representation of health care education and clinical training. The legislation seeks to impose significant criminal penalties on a select group of licensed providers, while ignoring many others. The bill fails to address the actions and representations of MDs and DOs that fall outside of their education, skills, and clinical training. The erroneous assumption that these providers should be exempt from the provisions of this bill does not serve today's patients and does not fulfill the stated intent of this legislation.

Furthermore, this bill makes assumptions and claims without merit and threaten the continued development and success with collegial relationships between physicians and other licensed health care professions at a time when access to quality multidisciplinary care is at a premium. The Coalition for Patients' Rights (CPR) was formed in spring 2006 to counter the AMA's Scope of Practice Partnership (SOPP) and Health Care Transparency Acts initiatives to limit the scope of practice of non-physician healthcare providers. The CPR's goal is to improve access to a wide variety of healthcare professionals who deliver safe, affordable, and effective health care to patients. CPR members are committed to working with SOPP organizations to enhance patient access to quality care – rather than limiting access to quality health care. Over 35 organizations representing over 3 million licensed healthcare professionals have endorsed CPR's joint statement. A website has been created and can be found at <http://www.patientsrightscoalition.org/>.

Nursing continues to be rated the most trusted profession, according to the annual Gallup poll ranking of honesty and ethics in various fields. For the past 14 years, the public has voted nurses as the most honest and ethical profession in America. This year, 85 percent of Americans rated nurses' honesty and ethical standards as "very high" or "high," tying a nurses' high point on the Gallup poll and 17

percentage points above any other profession. On the question of “Who do you trust on the issue of health care reform?” the AMA noted that “Nurses are front and center,” with a 78% trust rating, versus 56% for doctors. Physicians are no longer held in such high esteem as they were decades ago. Even our own Commander-in-Chief, President Obama, alluded to the fact that doctors have financial incentive to do more surgeries. The public is losing their trust in physicians and see them as driven for profit. This bill appears to be another lobbying activity by AMA to keep the physician in power and control of healthcare for profit.

Ethics is an essential part of nursing practice. This includes an ethical responsibility to ensure the safety of patients and the health and wellness of nurses and other health care providers. In 2015, ANA released a revision of its *Code of Ethics for Nurses with Interpretive Statements*, a cornerstone document of the nursing profession that reflects many changes and evolutions in health care and considers the most current ethical challenges nurses face in practice. The release was just one component of the “Year of Ethics,” a series of activities emphasizing the importance of ethics in nursing practice.

Now more than ever, as consumers, we must have the right to choose the health care provider that best meets our needs and whom are practicing to the full scope of their education and licensure. Health care is evolving to be more patient focused rather than to serve the need of any specific providers.

**Mahalo for the opportunity to testify in strong opposition to this bill.**

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