

---

---

# A BILL FOR AN ACT

RELATING TO HEALTH.

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

1           SECTION 1. The legislature finds that postgraduate medical  
2 students, such as resident and fellow physicians, are required  
3 by their training programs' national accrediting body and their  
4 specialty boards to actively learn about and participate in  
5 health care quality improvement activities in close alignment  
6 with the health care entities that provide the clinical learning  
7 environment for these trainee physicians. One of the core  
8 competencies that all physicians are expected to attain by the  
9 end of residency training is to continuously improve patient  
10 care based on constant self-evaluation and life-long learning.  
11 Resident and fellow physicians are expected to incorporate  
12 formative evaluation feedback, such as peer review as defined in  
13 chapter 671D, Hawaii Revised Statutes, in their daily practice.  
14 They are also expected to participate in identifying system  
15 errors and implementing potential systems solutions, which  
16 mirrors the intent of chapter 671D, Hawaii Revised Statutes.



1           The legislature finds that although postgraduate medical  
2 students practicing as resident or fellow physicians are  
3 currently subject to being named in lawsuits, they are unable to  
4 participate in and attain the protections granted by peer-review  
5 processes intended to improve the quality of medical care  
6 delivery. Accordingly, the purpose of this Act is to encourage  
7 postgraduate medical student physicians to participate in peer-  
8 review processes by affording them the same incentives and  
9 protections as licensed physicians engaging in effective peer  
10 review.

11           SECTION 2. Section 671D-4, Hawaii Revised Statutes, is  
12 amended by amending the definition of "physician" to read as  
13 follows:

14           "Physician" means an individual licensed under chapter 453  
15 or section 463E-1, to practice medicine or surgery or osteopathy  
16 or podiatric medicine[+], including those physicians  
17 participating in nationally-recognized accredited graduate  
18 medical training programs that are sited at a health care entity  
19 as defined in this chapter; an individual licensed under chapter  
20 448 to practice dentistry or dental surgery; or any individual  
21 who, without authority, holds oneself out to be so authorized."



1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.



**Report Title:**

Physicians; Post-Graduates; Peer-Review Process; Protections

**Description:**

Provides the same protections under the peer-review process that are afforded to licensed physicians to residents and fellow physicians. (HB140 HD1)

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

