

JAN 18 2019

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# A BILL FOR AN ACT

RELATING TO HEALTH CARE PEER REVIEW.

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

1           SECTION 1. The legislature finds that in order to provide  
2 well-trained physicians for Hawaii who are committed to  
3 delivering high quality, safe, and effective care for patients,  
4 postgraduate medical physicians (i.e., residents and fellow  
5 physicians) are required by their training program's national  
6 accrediting body, the Accreditation Council for Graduate Medical  
7 Education, and their specialty boards to actively learn about  
8 and participate in health care quality improvement activities,  
9 in close alignment with the health care entities who provide the  
10 clinical learning environment for these trainees. One of the  
11 core competencies that all physicians are expected to attain by  
12 the end of their residency training is to continuously improve  
13 patient care based on constant self-evaluation and life-long  
14 learning. Resident and fellow physicians are expected to  
15 incorporate formative evaluation feedback, such as peer review  
16 as defined in chapter 671D, Hawaii Revised Statutes, into their  
17 daily practice. They are also expected to participate in



1 identifying system errors and implementing potential systems  
2 solutions, which mirrors the intent of chapter 671D, Hawaii  
3 Revised Statutes.

4 The legislature further finds that although postgraduate  
5 medical physicians are currently subject to being named in  
6 lawsuits, they are unable to participate in and attain  
7 protections granted by the peer review processes that are  
8 intended to improve the quality of medical care delivery.

9 Accordingly, the purpose of this Act is to encourage  
10 postgraduate medical physicians to participate in peer-review  
11 processes by affording them the same incentives and protections  
12 as licensed physicians engaging in effective peer review.

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

16 ""Physician" means an individual licensed under chapter 453  
17 or section 463E-1, to practice medicine or surgery or osteopathy  
18 or podiatric medicine[+], including those physicians  
19 participating in nationally-recognized accredited graduate  
20 medical training programs that occur in a health care entity; an  
21 individual licensed under chapter 448 to practice dentistry or



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1 dental surgery; or any individual who, without authority, holds  
2 oneself out to be so authorized.

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

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

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INTRODUCED BY: Rosely H. Bahr

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**Report Title:**

Health Care Peer Review; Physicians

**Description:**

Amends the definition of "physician", for purposes of health care peer review, to include physicians participating in nationally-recognized accredited graduate medical training programs that occur in a health care entity.

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

