

Testimony of the Hawaii Medical Board

**Before the
Senate Committee on Commerce & Consumer Protection
Wednesday, February 24, 2021
9:30 a.m.
Via Videoconference**

**On the following measure:
S.B. 324, S.D. 1, RELATING TO THE PRACTICE OF MEDICINE**

WRITTEN TESTIMONY ONLY

Chair Baker and Members of the Committee:

My name is Ahlani Quiogue, and I am the Executive Officer of the Hawaii Medical Board (Board). The Board supports this bill.

The purpose of this bill is to clarify the definition of the practice of medicine to provide uniformity of practice for both medical physicians and osteopathic physicians.

This bill brings the definition of the practice of medicine to parity with the current practice of medicine and provides uniformity for medical doctors and osteopathic doctors. As the Committee is aware, the definition of the practice of medicine was last amended in 2008 by adding a separate, distinct definition of the practice of osteopathic medicine. The Board notes that medical doctors and osteopathic doctors receive the same education and training and should thus be treated equally. Further, the Board believes that this definition should be updated because the practice of medicine includes not only the treatment of disease, as the current definition provides, but also the prevention of disease.

Additionally, this bill deletes the proviso regarding care for the terminally ill because it is covered by a broader definition that now includes, among other things, palliative care. The addition of “surgery; manual medicine;”, “telehealth; the interpretation of tests, including diagnosis of pathology specimens, medical imaging, or any physical;”, “to diagnose, treat, prescribe for, palliate, or correct” disease, and “prevent any human disease, condition, ailment, pain, injury, deformity, illness, infirmity, defect, physical or mental condition” will encompass more activities of the current practice of medicine.

Thank you for the opportunity to testify on this bill.



DAVID Y. IGE
GOVERNOR

JOSH GREEN
LT. GOVERNOR

**STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

335 MERCHANT STREET, ROOM 310

P.O. BOX 541

HONOLULU, HAWAII 96809

Phone Number: 586-2850

Fax Number: 586-2856

cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Commerce and Consumer Protection
Wednesday, February 24, 2021
9:30 a.m.
Via Videoconference**

**On the following measure:
S.B. 324, S.D. 1, RELATING TO THE PRACTICE OF MEDICINE**

WRITTEN TESTIMONY ONLY

Chair Baker and Members of the Committee:

My name is Esther Brown, and I am the Complaints and Enforcement Officer of the Department of Commerce and Consumer Affairs' (Department) Regulated Industries Complaints Office (RICO). RICO supports this measure.

The purpose of this measure is to expand the scope of the practice of medicine and eliminate the distinction between osteopathic and medical physicians to promote uniformity in practice.

The practice of medicine is no longer limited to the treatment of disease and now includes telehealth, medical imaging, and preventing mental and physical diseases, conditions, injuries, and ailments. Expanding this scope of conduct will assist RICO in its enforcement responsibilities by providing tangible grounds for evaluating physician compliance with licensure laws.

RICO appreciates how S.D. 1 adopts the suggestion of the Hawaii Medical Board by removing language that may have limited enforcement actions to only licensed medical and osteopathic physicians. S.D. 1 will enable RICO to better target and enjoin a wider array of practices and behaviors that potentially constitute the unlicensed practice of medicine.

Thank you for the opportunity to testify on this bill.

Testimony of
Jonathan Ching
Government Relations Manager

Before:
Senate Committee on Commerce and Consumer Protection
The Honorable Rosalyn H. Baker, Chair
The Honorable Stanley Chang, Vice Chair

February 24, 2021
9:30 a.m.
Via Videoconference

Re: SB 324 SD1, Relating to the Practice of Medicine

Chair Baker, Vice Chair Chang and committee members, thank you for this opportunity to provide testimony on SB 324 SD1, which clarifies the definition of “the practice of medicine” to provide uniformity of practice for both medical physicians and osteopathic physicians.

Kaiser Permanente Hawai‘i SUPPORTS SB 324 SD1

Kaiser Permanente Hawai‘i is Hawai‘i’s largest integrated health system that provides care and coverage for approximately 260,000 members. Each day, more than 4,400 dedicated employees and more than 600 Hawai‘i Permanente Medical Group physicians and providers come to work at Kaiser Permanente Hawai‘i to care for our members at our 20 medical facilities, including Moanalua Medical Center, providing high-quality care for our members and delivering on our commitment to improve the health of the 1.4 million people living in the communities we serve.

As the State of Hawai‘i’s largest multispecialty medical group, the Hawai‘i Permanente Medical Group views medical and osteopathic physicians as equals in practice. We support SB 324 SD1 because it provides uniformity of the practice of medicine in Hawai‘i Revised Statutes Chapter 453. Furthermore, we agree with the Hawai‘i Medical Board that because medical and osteopathic physicians receive the same education and training; they should be treated equally.

We respectfully request the committee PASS SB 324 SD1. Thank you for the opportunity to provide testimony on this important measure.