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Testimony of the Department of Commerce and Consumer Affairs

Before the
Senate Committee on Judiciary
Thursday, March 30, 2023
9:35 a.m.

On the following measure:
H.B. 884, H.D.1, S.D.1, RELATING TO TRAVELING TEAM PHYSICIANS

Chair Rhoads and Members of the Committee:

My name is Esther Brown, and I am the Complaints and Enforcement Officer of the Regulated Industries Complaints Office (RICO), which is an agency within the Department of Commerce and Consumer Affairs. RICO is charged with enforcing the licensing laws of various professional and trade industries in the State through the receipt, investigation and prosecution of, in this case, licensees who fall within the purview of the Hawaii Medical Board. RICO **offers comments** on the measure.

The purpose of this bill is to exempt from the licensure requirement of Hawaii Revised Statutes chapter 453, for a very limited time period only, those out-of-state and validly-licensed physicians who accompany certain sports team to a sporting event in Hawaii or who are invited by certain sporting organizations to provide services to sports team members and coaching staff at a national sport training center or other certain specified events in Hawaii.

We appreciate the amendment to the original bill that now requires the physician to notify the Hawaii Medical Board in advance of arrival, as set forth in the SD1, at page 2, lines 9 – 12. The language will assist with enforcement and is flexible enough to accommodate physicians who may not know, until the last minute, that they will be traveling to Hawaii under a condition that qualifies them for an exemption per the measure.

Second, because the measure is an exemption to licensure, we agree with the Hawaii Medical Board and recommend an amendment that places the measure into section 453-2 of the Hawaii Revised Statutes.

Finally, pursuant to the Hawaii Medical Board's request for clarity in their prior testimony before the Senate Committee on Commerce and Consumer Protection, which we join in because such clarity enhances consumer protection and will assist with regulation and enforcement, we propose amendments that insert the term "bona fide" before "national sport governing body" on page 1, line 12; page 2, lines 1 and 5; and page 3 line 10; and before "national sport training center" on page 1, line 15.

Thank you for the opportunity to testify on this bill.



UNIVERSITY OF HAWAII SYSTEM

‘ŌNAEHANA KULANUI O HAWAII

Legislative Testimony

Hō'ike Mana'o I Mua O Ka 'Aha'ōlelo

Testimony Presented Before the
Senate Committee on Judiciary
Thursday, March 30, 2023 at 9:35 a.m.

by

David A. K. Matlin, Athletics Director
University of Hawai'i at Mānoa Athletics Department

And

Michael Bruno, Provost
University of Hawai'i at Mānoa

HB 884 HD1 SD1 – RELATING TO TRAVELING TEAM PHYSICIANS

Chair Rhoads, Vice Chair Gabbard, and Members of the Committee:

Thank you for this opportunity to submit in support of HB 884 HD1 SD1, which proposes to allow a physician who is licensed and in good standing to practice as a physician in another state to be exempt from the licensure requirements of HRS Chapter 453, under certain conditions.

It is our understanding that Hawai'i is one of only a few states that do not already have similar provisions allowing exemptions for physicians visiting in association with sport teams events. The lack of a provision for visiting physicians has the distinct possibility of resulting in teams being hesitant to travel to Hawai'i to compete. HB 884 HD1 SD1 would allow teams from other states that compete in Hawai'i to have the support of their medical staff if necessary.

The University of Hawai'i respectfully requests passage of HB 884 HD1 SD1. Thank you for your time and consideration of this testimony.

Testimony of the Hawaii Medical Board

**Before the
Senate Committee on Judiciary
Thursday, March 30, 2023
9:35 a.m.
Room 016 and via Videoconference**

**On the following measure:
H.B. 884, H.D. 1, S.D. 1, RELATING TO TRAVELING TEAM PHYSICIANS**

WRITTEN TESTIMONY ONLY

Chair Rhoads and Members of the Committee:

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

The purpose of this bill is to exempt from state licensure requirements out-of-state traveling team physicians who accompany a sports team to Hawaii, under certain conditions.

The Board supports this measure as it provides continuity of care by an out-of-state physician who accompany a sports team to a sporting event in this State. The Board believes this bill is, first and foremost, about the safety of the athlete. A team physician who is on the sidelines to examine athletes' injuries immediately after they occur and to provide the necessary aid is most beneficial for the athletes' well-being.

Further, the Board questions whether an entirely new section needs to be added to Hawaii Revised Statutes (HRS) chapter 453 to address this matter since its statutes, specifically, HRS section 453-2, provide certain exceptions to medical licensing requirements. The Board believes that the exceptions or exemptions provided in this bill should be added to HRS section 453-2. Additionally, section (g) on page 3, lines 17 to 18, require the Board to adopt rules. The Board believes that this measure is explicit enough to not warrant rules and, therefore, respectfully requests that this language be deleted.

Thank you for the opportunity to testify on this bill.

HB-884-SD-1

Submitted on: 3/26/2023 5:00:28 PM

Testimony for JDC on 3/30/2023 9:35:00 AM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Wast of Money!!!