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Testimony of the Department of Commerce and Consumer Affairs

Before the
Senate Committee on Commerce and Consumer Protection
and
Senate Committee on Ways and Means
Wednesday, March 1, 2023
9:30 a.m.

On the following measure:
**S.B. 674, S.D. 1, RELATING TO THE INTERSTATE MEDICAL LICENSURE
COMPACT**

Chair Keohokalole, Chair Dela Cruz 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 (Department). RICO **offers comments** on provisions of the measure that may impact RICO's enforcement authority, practice or daily operations.

The bill authorizes the Governor to enter into the pre-existing Interstate Medical Licensure Compact (Compact) on behalf of the State of Hawaii. The Compact allows the licensing boards of member states to review and make determinations on applications for an "expedited license" from qualifying physicians. The physicians deemed eligible for an "expedited license" by the board of a member state may then complete the Compact's

registration process which includes payment of applicable fees. See SB674, SD1, Section 5, which begins on page 9, line 1.

RICO enforces the licensing laws of certain professional and trade industries in the state by investigating and prosecuting misbehaving licensees who fall within the purview of the Hawaii Medical Board (Board). RICO's prosecutorial effort results in disciplinary recommendations that are presented to the Board for final action. The Board, therefore, sets industry policy and standards which are then applied to regulate the industry through the issuance, denial or discipline of licenses that grant physicians a privilege to practice in our state. As the Board's investigator and prosecutor, therefore, RICO defers to and supports fully the Board's position on the measure's policy, administration and implementation.

1. Clarity. Save for a few miscellaneous issues identified at the end of this testimony, the language of the measure appears to be clear in its standards and expectations.

2. Notice by a licensee to the regulator. A key to prompt and effective enforcement is the ability to find and correctly identify licensees who may have committed acts of professional misconduct in our state. Notification to the regulator is even more important when a licensee is not domiciled in the state and has the ability to travel between different jurisdictions to practice medicine on a multi-state privilege. A regulatory body, therefore, must know about and be able to contact persons in or outside of the state who are or intend to practice medicine here. The measure meets this important consideration by requiring physicians interested in an "expedited license" to make application to the Board, as well as complete the Compact's registration process. See SD1, at page 9, lines 6 – 7, and page 10, lines 15 – 20.

3. Fees. Sufficient resources are necessary to enforce a regulatory scheme, and the current regulatory scheme for physicians in Hawaii is funded almost exclusively through license fees that are paid initially and at renewal. The measure supports good enforcement by authorizing the imposition of license fees per sections (c) and (d), which begin on page 10, at lines 19 – 20.

4. Definite period. As a benefit to consumers, licenses should be valid for a definite period of time only because, at renewal, license-holders are required to provide the regulatory authority with updated identification and contact information. At renewal, licensees must also make assurances of continued good behavior and self-report misdeeds. The process also assures that physicians who are practicing in Hawaii are competent and current still through having completed continuing education courses. In addition, the renewal process results in prompt referrals by the Board, to RICO, of situations that may involve potential misconduct by a licensee. This measure meets this important consumer protection factor by limiting the expedited license to a definite period of time after which it will automatically expire unless affirmatively renewed. See SD1, paragraph (e) on page 11, lines 9 - 13, and section 7 of the measure which begins on page 12, line 10.

5. Respecting the privacy rights of practitioners under investigation and patient medical records. Unlike other healthcare interstate compact bills that have been introduced this Session, this measure is unique in that it does appear to compel industry regulators to possibly ignore Hawaii law on the privacy of licensees under investigation for fitness to practice, or the confidentiality of patient treatment records.

Consistent with the current practice that is in place here in Hawaii, the measure requires the Board to only disclose public actions or complaints to the governing body per section (b) on page 14, lines 8 – 12; the measure makes discretionary the reporting of certain non-public matters per page 14, section (d), lines 16 – 19; and the measure gives local regulators the option to choose to enter into joint investigations with other states and whether to share investigative information with them, per section 9 of the measure on page 15 at line 16 (. . . a member board “may” participate . . .), and page 16, line 1 (. . . boards “may” share . . .). Read together, these provisions within the measure seem respectful of the significant privacy interest that physicians in Hawaii have when they are under investigation for fitness to have or maintain a license, and the confidentiality of patient treatment records.

6. Miscellaneous Issue – financing of governing body. Though we do not fully understand the implication of these, we note for the Committees that:

a.) The governing body under the Compact has the ability to “levy on and collect an annual assessment from each member state” to cover operations and activities, see page 26, section (a), line 4; and

b.) With a State’s permission, the governing body can also pledge the credit of any member state, see page 26, section (c), lines 18 - 20.

7. Miscellaneous Issue – ambiguity re indemnification of Hawaii’s regulatory employees. The measure protects the governing body and its hired or retained agents and employees through immunity, limitation of liability, defend/indemnify and “held harmless” provisions that run from page 28, line 3, to page 30, line 18, but on its face does not seem to cover the regulatory entities in Hawaii should a Hawaii employee attempt to comply with mandatory provisions or rules or bylaws of the Compact that could now, or in the future, conflict with provisions of state law.

Thank you for the opportunity to testify on this bill.

Testimony of the Hawaii Medical Board

**Before the
Senate Committee on Commerce and Consumer Protection
and
Senate Committee on Ways and Means
Wednesday, March 1, 2023
9:50 a.m.
Conference Room 211 and Videoconference**

**On the following measure:
S.B. 674, S.D. 1, RELATING TO THE INTERSTATE MEDICAL LICENSURE
COMPACT**

Chair Keohokalole, Chair Dela Cruz, and Members of the Committees:

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

The purposes of this bill are to: (1) adopt the Interstate Medical Licensure Compact (Compact) to create a comprehensive process that complements the existing licensing and regulatory authority of state medical boards and provides a streamlined process that allows physicians to become licensed in multiple states, thereby enhancing the portability of a medical license and ensuring the safety of patients; (2) require the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact; and (3) appropriate funds for the implementation of the Compact.

The Board supports the Compact as it will increase access to health care – particularly for patients in underserved or rural areas. The Compact will increase the ability for physicians to practice across participating jurisdictions, but also ensure that the Board is still able to meet its legal responsibility to issue licenses to qualified, safe, and competent physicians only.

It is important to note that this Compact will also allow the Board to continue to impose fees, thereby allowing it and the Regulated Industries Complaints Office to maintain its current operations and additional requirements of this measure as provided in section 6. Further, the Compact allows the Board to maintain its current renewal requirements as outlined in section 7 of this bill.

The Board does recognize the huge undertaking of this measure and, thus, in consultation with the Professional and Vocational Licensing Division (Division), respectfully requests the following to ensure proper implementation:

1. General fund appropriation to allow the Division:
 - (a) To establish, recruit, and hire an office assistant V (OA-V) to process Compact-related license applications expeditiously. The sum of \$67,876 or so much thereof may be necessary to fund this position.
 - (b) To establish, recruit, and hire a regulatory boards and commissions administrative assistant I (RBCAA I) position. The sum of \$99,896 or so much thereof may be necessary to fund this position.
 - (c) To establish, recruit, and hire a secretary II position. The sum of \$73,406 or so much thereof may be necessary to fund this position.
 - (d) To make the appropriate updates to its internal database. In consultation with the Division and its vendor, the required updates may take upwards of 500 support hours. The updates would require the creation of an API to allow the Board to share information with the IMLC Commission; create new license types specific to Compact licensure; and the development of the appropriate requirements if the Board is designated as the State of Principal License, and not just the issuing state of licensure. These hours would be added onto the already extensive daily work of the Division's developer, program analyst, and others outside of the division. Note that these updates would require additional support and maintenance outside of the budget request being made through Department of Commerce and Consumer Affairs' request. The sum of \$75,000 or so much thereof may be necessary to fund this request.
2. Minimally, a delayed implementation date of at least two (2) years to ensure that:
 - (a) In line with the request above, the Division would need the appropriate time to establish, recruit, and hire an OA-V, RBCAA-I, and secretary II.

- (b) The appropriate updates are made to the Division's database.
- (c) The Board receives the proper authorization from the FBI to obtain fingerprint based criminal history record information. This will also ensure that its current staff receive the proper training, certifications, and approval to pull this information.

Thank you for the opportunity to testify on this bill.



To: Senator Jarrett Keohokalole, Chair, Committee on Commerce and Consumer Protection
Senator Carol Fukunaga, Vice Chair, Committee on Commerce and Consumer Protection
Senator Donovan M. Dela Cruz, Chair, Committee on Ways and Means
Senator Gilbert S.C. Keith-Agaran, Vice Chair, Committee on Ways and Means

From: Paula Arcena, External Affairs Vice President
Mike Nguyen, Public Policy Manager

Hearing: Wednesday, March 1, 2023, 9:50 AM, State Capitol, Conference Room 211

RE: **SB674 SD1 Relating to Interstate Medical Licensure Compact**

AlohaCare appreciates the opportunity to provide testimony in **support of SB674 SD1**. This measure will provide the Governor the statutory authority to enter into an Interstate Medical Licensure Compact on behalf of the State of Hawai`i to significantly streamline the licensing process for physicians who want to practice in multiple states while retaining each state's rigorous practice of medicine standards.

Founded in 1994 by Hawai`i's community health centers, AlohaCare is a community-rooted, non-profit health plan serving over 80,000 Medicaid and dual-eligible health plan members on all islands. Approximately half of our membership are keiki. We are Hawai`i's only health plan exclusively dedicated to serving Medicaid beneficiaries. Our mission is to serve individuals and communities in the true spirit of aloha by ensuring and advocating for access to quality health care for all. We believe that health is about supporting whole-person care.

AlohaCare is committed to improving access to care and strengthening the Medicaid program. As you know, Medicaid enrollment in our State has grown by over 40% from 330,000 enrollees in March 2020 to 460,000 in January 2023. This tremendous growth has put a further strain on our already challenged provider capacity in the State, especially in rural areas. We support this measure as one way to expand physician capacity, relieving some of the burden faced by our existing physician workforce, and improve access to care for the residents of Hawai`i, especially our rural communities.

Mahalo for this opportunity to testify in **support of SB674 SD1**.



March 1, 2023

9:50 a.m.

Conference Room 211

VIA VIDEOCONFERENCE

To: Senate Committee on Commerce and Consumer Protection

Sen. Jarrett Keohokalole, Chair

Sen. Carol Fukunaga, Vice Chair

Senate Committee on Ways and Means

Sen. Donovan M. Dela Cruz, Chair

Sen. Gilbert S.C. Keith-Agaran, Vice Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: SB674 SD1 — RELATING TO THE INTERSTATE MEDICAL LICENSURE COMPACT

Comments Only

Dear Chair and Committee Members:

The Grassroot Institute of Hawaii would like to offer its comments on [SB674 SD1](#), which would enter Hawaii into the Interstate Medical Licensure Compact.

If this bill is enacted, the Legislature will take an important step toward addressing Hawaii's doctor shortage, a problem that has existed for years and has become a serious obstacle to healthcare access in our state.

It is well established that Hawaii is suffering from a physician shortage. According to the most recent report from the Hawaii Physician Workforce Assessment Project, the state is currently short by approximately 776 full-time-equivalent physicians.¹ While the greatest area of need is primary care physicians, the lack of specialists — especially in rural areas — is also severe.

¹ ["Annual Report on Findings from the Hawai'i Physician Workforce Assessment Project: Report to the 2023 Legislature,"](#) University of Hawaii, December 2022, p.1

Moreover, that shortage does not apply to only doctors. Across the state, and especially in rural areas, Hawaii is facing shortages of experienced health professionals, from primary care providers to nurses, specialists and staff.

Fixing the problem requires a multipronged strategy that will address everything from Hawaii's high cost of living to the state's regulatory scheme for healthcare facilities. Perhaps most important is the need to reform licensing regulations for healthcare professionals. One-fourth of all licensed workers in the U.S. work in healthcare.² Their licenses can be difficult to obtain, are expensive and carry geographic or "scope of practice" limitations.

As discussed in the Grassroot Institute of Hawaii's new policy brief on medical licensing, "[How changing Hawaii's licensing laws could improve healthcare access.](#)" the state's shortage of healthcare professionals makes its restrictions on healthcare workers who already hold licenses in other U.S. states seem redundant and self-defeating.³

As the Federal Trade Commission noted in a report on occupational licensing portability:

There is little justification for the burdensome, costly, and redundant licensing processes that many states impose on qualified, licensed, out-of-state applicants. Such requirements likely inhibit multistate practice and delay or even prevent licensees from working in their occupations upon relocation to a new state. Indeed, for occupations that have not implemented any form of license portability, the harm to competition from suppressed mobility may far outweigh any plausible consumer protection benefit from the failure to provide for license portability.⁴

In other words, though medical licensing is intended to protect the public, there is a point at which the level of regulation reduces the number of people in practice without an appreciable public benefit.

² Ryan Nunn, "[Improving Health Care Through Occupational Licensing Reform.](#)" RealClear Markets, Aug. 28, 2018

³ Malia Hill, "[How changing Hawaii's licensing laws could improve healthcare access.](#)" Grassroot Institute of Hawaii, February 2023, pp. 5-7.

⁴ Karen Goldman, "[Options to Enhance Occupational License Portability.](#)" U.S. Federal Trade Commission, September 2018, p. 25.

One study of licensing among medical professionals found that “licensing is associated with restricted labor supply, an increased wage of the licensed occupation, rents, increased output prices, and no measurable effect on output quality.”⁵

This is where we can benefit from the lessons learned during the coronavirus situation. The governor’s emergency modification to state licensing laws demonstrated a need to embrace license portability, making it a simple matter for a doctor licensed in another state to practice in Hawaii.

The interstate compact approach outlined in this bill would streamline licensing for physicians, making it easier for doctors from participating states to practice in Hawaii without facing time-consuming, costly and redundant regulatory hurdles.

The state would retain its control over Hawaii licensure requirements, but would simultaneously increase the pool of doctors able to practice in Hawaii and shorten the time it would take for them to begin working here.

At present, the Interstate Medical Licensure Compact [includes](#) 37 states, the District of Columbia and Guam. Five additional states have introduced legislation to join as well. Years of successful implementation testify to the safety and effectiveness of this approach to license reciprocity.

According to the [IMLC](#), its purpose is to serve as “an administrative clearinghouse of licensing and disciplinary information among participating member states and territories. The Commission does not have regulatory control over physicians or the practice of medicine. It neither issues nor revokes licenses. Its only purpose is to facilitate interstate cooperation and the transfer of information between member states and territories.”

Joining the IMLC would be an important step toward attracting more doctors to our state, thereby addressing our physician shortage and improving healthcare access for all.

Thank you for the opportunity to submit our comments.

Sincerely,

Ted Kefalas

⁵ Sean Nicholson and Carol Propper, [“Chapter Fourteen — Medical Workforce.”](#) in “Handbook of Health Economics, Vol. 2,” Elsevier, B.V., 2012, p. 885, cited also in the previously mentioned [FTC study](#), footnote #9, p3.

Director of Strategic Campaigns,
Grassroot Institute of Hawaii

**TESTIMONY OF EVAN OUE ON BEHALF OF THE HAWAII
ASSOCIATION FOR JUSTICE (HAJ) WITH COMMENTS ON
SB 674 SD1**

Hearing Date: Wednesday, March 1, 2023

Time: 9:50 a.m.

My name is Evan Oue and I am presenting this testimony on behalf of the Hawaii Association for Justice (HAJ) providing **COMMENTS** to SB674 SD1, Relating to the recognition of the Interstate Medical Licensure Compact (the "Compact").

HAJ understands and appreciates the intent of the measure however, we **oppose SB 674 SD1** as it would provide members, officers, executive director, employees and representatives of the commission **immunity from suit in their personal or official capacity for any claim for damage to or loss of property or personal injury or other civil liability** caused by arising out of any actual or alleged act, error or omission that occurred with the scope of employment. Under the Compact immunity from tort liability or civil liability resulting in death, injury to persons, or property damage except in cases of intentional or willful or wanton misconduct of that person. This language is overly broad and puts Hawaii residents at risk for injuries that could occur.

Specifically, Section 14(d) on page 28 of the bill provides that:

“The officers and employees of the Interstate Commission **shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act**, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of commission employment, duties, or responsibilities; provided that nothing in this paragraph shall be

construed to protect any such person from suit or liability for any **damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.**”

Primarily, our concern is that the bill grants overbroad immunity to officers or employees rendering aid pursuant to the Compact for **negligent acts**. The exceptions to immunity only apply to **intentional or willful or wanton misconduct while omitting negligent acts** that could harm our residents. For example, if an officer or employee rendering aid pursuant to the Compact commits negligent acts while rendering aid, they will be immune under this act – leaving no legal recourse for the individual who was harmed. This immunity would even apply if that same officer or employee, while driving, hits a pedestrian through a failure to exercise due care or negligent maintenance of a vehicle.

The standard of care that should be applied in any given situation is based on the specific circumstance. Negligent acts cannot and should not be overlooked, without recourse for those harmed, especially for our residents. HAJ opposes this type of immunity for negligent acts or omissions to preserve the rights of our residents and individuals. While we support intergovernmental cooperation for teachers, it is not necessary to exempt our officers of the Compact from negligent conduct.

HAJ respectfully recommends the bill be amended to delete Section 14(d) on page 28. Thank you for allowing us to testify regarding this measure. Please feel free to contact us should you have any questions or desire additional information.



March 1, 2023

To: Chair Keohokalole, Chair Dela Cruz, Vice Chair Fukunaga, Vice Chair Keith-Agaran, and Members of the Senate Committee on Commerce and Consumer Protection and the Senate Committee on Ways and Means

From: Hawaii Association of Health Plans Public Policy Committee

Date/Location: March 1, 2023; 9:50 a.m., Conference Room 211/Videoconference

Re: Testimony in support of SB 674 SD1 – Relating to the interstate medical licensure compact

The Hawaii Association of Health Plans (HAHP) appreciates the opportunity to provide testimony in support of SB 674. HAHP is a statewide partnership of Hawaii's health plans and affiliated organizations to improve the health of Hawaii's communities together. The vast majority of Hawaii residents receive their health coverage through a health plan associated with one of our organizations.

We appreciate the compact's ability to relieve some of the burden on our existing health care workforce and to increase resources and access for rural communities. HAHP also recognizes that the pandemic highlighted gaps in our health care system. Workforce expansion is important to strengthening Hawaii's health care network. We support the prioritization and inclusion of the interstate physician compact to expand Hawaii's "toolkit" for providing necessary care for our members and our community.

We thank you for the opportunity to provide testimony in **support of SB 674 SD1**.

Sincerely,

HAHP Public Policy Committee

cc: HAHP Board Members

AlohaCare | HMAA | HMSA | Humana | HWMG | Kaiser Permanente | MDX Hawaii | Ohana Health Plan | UHA Health Insurance | UnitedHealthcare

hahp.org | 818 Keeaumoku Street, Honolulu, HI 96814 | info@hahp.org



Hawaii Medical Association

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COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair

COMMITTEE ON WAYS AND MEANS

Senator Donovan M. Dela Cruz, Chair
Senator Gilbert S.C. Keith-Agaran, Vice Chair

Date: March 1, 2023

From: Hawaii Medical Association

Beth England MD, Co-Chair, HMA Public Policy Committee

Re: SB674 SD1, Relating to the Interstate Medical Licensure Compact

Position: Support

This measure adopts the Interstate Medical Licensure Compact (IMLC) and creates an expedited pathway for currently licensed physicians to become licensed in multiple states.

This compact will promote uniformity in state licensure requirements and strengthen public protection by facilitating sharing of investigative and disciplinary information between state medical boards.

HMA supports this measure as it will improve access to care by encouraging physicians to practice in Hawaii, both in person and through telehealth services. Thank you for allowing the Hawaii Medical Association to testify in support of this measure.

References and Quick Links:

Marschall S. Smith; The Interstate Medical Licensure Compact Commission: Growth, Success, and the Future. *Journal of Medical Regulation* 1 October 2020; 106 (3): 22–26. doi:<https://doi.org/10.30770/2572-1852-106.3.22MOC>

Provisions of Interstate Medical Licensure Compact. American Medical Association. D-275.955.2015.FSMB Annual Report. Federation of State Medical Boards. Apr 2022

2023 Hawaii Medical Association Officers

Angela M. Pratt, MD, President • Elizabeth Ann Ignacio, MD, President Elect • Michael Champion, MD, Immediate Past President
Nadine Tenn-Salle, MD, Treasurer • Thomas Kosasa, MD, Secretary • Marc Alexander, Executive Director

2023 Hawaii Medical Association Public Policy Coordination Team

Elizabeth Ann Ignacio, MD, Chair • Beth England, MD, Co-Chair
Linda Rosehill, JD, Government Relations • Marc Alexander, Executive Director



**Testimony to the Senate Joint Committee on Commerce and Consumer Protection and
Ways and Means
Wednesday, March 1, 2023; 9:50 a.m.
State Capitol; Conference Room 211
Via Videoconference**

**RE: SENATE BILL NO. 0674, SENATE DRAFT 1, RELATING TO THE INTERSTATE MEDICAL
LICENSURE COMPACT.**

Chair Keohokalole, Chair Dela Cruz, and Members of the Joint Committee:

The Hawaii Primary Care Association (HPCA) is a 501(c)(3) organization established to advocate for, expand access to, and sustain high quality care through the statewide network of Community Health Centers throughout the State of Hawaii. The HPCA **SUPPORTS** Senate Bill No. 0674, Senate Draft 1, RELATING TO THE INTERSTATE MEDICAL LICENSURE COMPACT.

By way of background, the HPCA represents Hawaii's Federally Qualified Health Centers (FQHCs). FQHCs provide desperately needed medical services at the frontlines to over 150,000 patients each year who live in rural and underserved communities. Long considered champions for creating a more sustainable, integrated, and wellness-oriented system of health, FQHCs provide a more efficient, more effective and more comprehensive system of healthcare.

This measure, as received by your Committee, would adopt the Interstate Medical Licensure Compact (Compact) to establish a comprehensive process that complements the existing licensing and regulator authority of state medical boards and provides a streamlined process to allow physicians to become licensed in multiple states, thereby enhancing the portability of a medical license while ensuring patient safety. Specifically, this bill would also:

- (1) Require the Department of Commerce and Consumer Affairs to adopt rules;
- (2) Appropriate an unspecified amount of general funds for fiscal years 2023-2024, and 2024-2025; and
- (3) Take effect on December 31, 2050.

Testimony on Senate Bill No. 0674, Senate Draft 1
Wednesday, March 1, 2023; 9:50 a.m.
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The State of Hawaii is experiencing a severe shortage of health care professionals in the workforce, especially in rural areas. Recent studies note that the current shortage of physicians is at 20% of the total full-time equivalent positions throughout the State. The shortage is especially severe in the fields of primary care, infectious diseases, colorectal surgery, pathology, general surgery, pulmonology, neurology, neurosurgery, orthopedic surgery, family medicine, cardiothoracic surgery, rheumatology, cardiology, hematology/oncology, and pediatric subspecialties of endocrinology, cardiology, neurology, hematology/oncology, and gastroenterology.

This shortage became even more evident during the COVID-19 pandemic as health care facilities required staff to work consecutive double- and triple-shifts to meet the ever present demand. The situation became so pronounced that health care workers from other states had to be brought in to keep our health care facilities open.

To facilitate this influx of health workers, DCCA scrambled to permit these workers under Hawaii's professional licensure laws. In particular, the huge number of nurses brought in to Hawaii forced DCCA to shift employees from other Boards to assist the Board of Nursing to permit these nurses to work here. Yet despite these heroic efforts, it took much time and resources for these nurses to have their professional licenses verified through endorsement. So instead of treating patients, these nurses had to wait.

This bill seeks to streamline the process for physicians by adopting a standard that is utilized by multiple states in the United States. Once these qualifications are met in one state, that physician could immediately get to work in another state that adopts that standard should that physician relocate to the participating state. This will further allow our nation's limited physician stock to mobilize where there is the greatest need.

Accordingly, the HPCA urges your favorable consideration of this important measure.

Thank you for the opportunity to testify. Should you have any questions, please do not hesitate to contact Public Affairs and Policy Director Erik K. Abe at 536-8442, or eabe@hawaiiipca.net.

Wednesday, March 1, 2023 at 9:50 AM
Via Video Conference; Conference Room 211

Senate Committee on Commerce and Consumer Protection

To: Senator Jarrett Keohokalole, Chair
Senator Carol Fukunaga, Vice Chair

Senate Committee on Ways and Means

To: Senator Donovan Dela Cruz, Chair
Senator Gil Keith-Agaran, Vice Chair

From: Les Chun, MD
CEO, Hawai'i Pacific Health Medical Group

**Re: Testimony in Support of SB 674, SD1
Relating to the Interstate Medical Licensure Compact**

My name is Les Chun, MD and I am the CEO of the Hawai'i Pacific Health Medical Group (HPHMG). The HPHMG is a non-profit subsidiary of Hawaii Pacific Health (HPH) and was formed to further our vision and mission: *To be the leader in health care transformation and to create a healthier Hawaii.* HPH is a not-for-profit health care system comprised of its four medical centers – Kapi'olani, Pali Momi, Straub and Wilcox and over 70 locations statewide with a mission of creating a healthier Hawai'i.

HPH writes in SUPPORT of SB 674, SD1 which creates a comprehensive process that complements the existing licensing and regulatory authority of state boards. The bill also establishes a streamlined process allowing physicians to become licensed in multiple states and enhances the portability of a medical license.

Participating in the compact will allow physicians to more easily practice in Hawai'i, or treat patients in Hawai'i through telehealth, while still meeting nationally-established standards for education and training. The compact, which is in effect in 37 states, the District of Columbia, and the Territory of Guam, allows states to license physicians who meet eligibility criteria in a more streamlined fashion. This is especially important as we continue to see a shortage in physicians across the state, especially in rural areas and on the Neighbor Islands.

The compact alone will not solve the issues we have with our healthcare workforce. Affordability, below-cost reimbursements from Medicare and Medicaid, and the realities of retaining physicians in rural communities are still issues that must be addressed in partnership with many other stakeholders and policy-makers. However, entering the compact can help to ease recruitment of physicians, especially for specialty care that may be hard to access otherwise.

Thank you for the opportunity to testify.



March 1, 2023 at 9:50 am
Conference Room 211

Senate Committee on Commerce and Consumer Protection

To: Chair Jarrett Keohokalole
Vice Chair Carol Fukunaga

Senate Committee on Ways and Means

To: Chair Donovan M. Dela Cruz
Vice Chair Gilbert S.C. Keith-Agaran

From: Paige Heckathorn Choy
Associate Vice President, Government Affairs
Healthcare Association of Hawaii

Re: Testimony in Support
SB 674 SD 1, Relating to the Interstate Medical Licensure Compact

The Healthcare Association of Hawaii (HAH), established in 1939, serves as the leading voice of healthcare on behalf of 170 member organizations who represent almost every aspect of the healthcare continuum in Hawaii. Members include acute care hospitals, skilled nursing facilities, home health agencies, hospices, assisted living facilities and durable medical equipment suppliers. In addition to providing access to appropriate, affordable, high-quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing more than 30,000 people statewide.

Thank you for the opportunity to provide **support** on this measure, which would authorize the state to enter into the Interstate Medical Licensure Compact. Entering the compact will allow physicians to more easily practice in Hawaii, or treat patients in Hawaii through telehealth, while still meeting nationally-set standards for education and training. The compact, which is in effect in 37 states, the District of Columbia, and the Territory of Guam, allows states to continue to license physicians who meet eligibility criteria in a more streamlined fashion. This is especially important as we continue to see a shortage in physicians across the state, especially in rural areas.

The pandemic stressed an already fragile healthcare workforce shortage in the state—but it also provided opportunities for expanded telehealth and the recruitment of physicians and other clinical professionals to come in at a time of great need. Allowing the state to enter into the compact can help us to address some, if not all, of the physician recruitment and access issues Hawaii patients face, especially in rural and underserved areas. Further, entering into the compact will enable a more efficient, streamlined approach to licensing physicians in the state to begin critical work right away.

Thank you for the opportunity to provide our support for this measure.



THE QUEEN'S HEALTH SYSTEM

To: The Honorable Jarrett Keohokalole, Chair
The Honorable Carol Fukunaga, Vice Chair
Members, Senate Committee on Commerce & Consumer Protection

The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Members, Senate Committee on Ways and Means

From: Jacce Mikulanec, Director, Government Relations, The Queen's Health System

Date: March 1, 2023

Re: Support for SB674 SD1: Medical Licensure Compact

The Queen's Health System (Queen's) is a nonprofit corporation that provides expanded health care capabilities to the people of Hawai'i and the Pacific Basin. Since the founding of the first Queen's hospital in 1859 by Queen Emma and King Kamehameha IV, it has been our mission to provide quality health care services in perpetuity for Native Hawaiians and all of the people of Hawai'i. Over the years, the organization has grown to four hospitals, and more than 10,000 affiliated physicians, caregivers, and dedicated medical staff statewide. As the preeminent health care system in Hawai'i, Queen's strives to provide superior patient care that is constantly advancing through education and research.

Queen's strongly **supports** SB674 SD1, relating to the interstate medical licensure compact. This measure would adopt the Interstate Medical Licensure Compact (IMLC) to create a process that complements the existing licensing and regulatory authority of state medical boards and provides a process that allows physicians to become licensed in multiple states, thereby enhancing the portability of a medical license while ensuring the safety of Hawai'i patients. We support the amendments made to SB 674 in the previous committee and respectfully urge you to include funding to ensure the Department of Commerce and Consumer Affairs will have the appropriate staffing levels to operationalize and oversee Hawaii's membership in the compact.

The intent of the IMLC is one shared by Queen's—increased access to quality health care. The compact makes it possible to extend the reach of physicians, improve access to medical specialists and leverage the use of medical technologies, such as telemedicine. While making it easier for physicians to obtain licenses to practice in multiple states, the compact also has the added benefit of potentially enhancing the ability of partner states to share investigative and disciplinary information.

Recognizing that physicians will increasingly practice in multiple states as a result of increased use of telemedicine, medical boards in 2013 began actively discussing the idea of creating the IMLC in order to streamline traditional medical-license application processes. Introduced in 2014 with assistance from the Federation of State Medical Boards, the IMLC is a legal agreement between participating states to streamline the licensing process for providers that wish to practice across state

The mission of The Queen's Health System is to fulfill the intent of Queen Emma and King Kamehameha IV to provide in perpetuity quality health care services to improve the well-being of Native Hawaiians and all of the people of Hawai'i.

lines. Currently more than half of the United States, the District of Columbia, and Guam belong to the IMLC.

The COVID-19 pandemic in particular has demonstrated the importance of flexibility, preparedness, and the supply of medical professionals during a health crisis. Staffing shortages have become one of the major issues for healthcare systems globally and locally as the COVID-19 pandemic continues to evolve. Having the ability to more easily and safely work across state lines to employ necessary and lifesaving help during times of a pandemic is an important safeguard for Hawai'i to have in place - this is even more imperative for our neighbor island communities where existing medical personnel shortages pose greater challenges.

Looking beyond the public health emergency, one important way lawmakers and health care regulators can permanently facilitate access to care is by allowing providers and patients to connect with each other regardless of their physical location. States are moving quickly to give healthcare providers the freedom to practice across state lines, opening the door to broader and more flexible telehealth networks and improved access to care.

Upon licensure via the IMLC, a physician will be under the jurisdiction of the medical board in the state where the patient is located. Thus, the Hawai'i Medical Board preserves its authority since physicians will still have to be vetted and licensed to practice in Hawai'i in accordance with Hawai'i's standards. The IMLC also strengthens public protection by enhancing the ability of states to share investigative and disciplinary information. The IMLC provides that any disciplinary action that is taken by a member state's medical licensing board against a physician licensed through the compact is deemed unprofessional conduct that may be subject to discipline by other member boards, in addition to any violation of the medical practice act or laws in that state.

Queen's greatly appreciates the Committees hearing this important measure and respectfully requests your support of SB674 SD1.

March 1, 2023

The Honorable Jarrett Keohokalole, Chair
The Honorable Carol Fukunaga, Vice Chair
Senate Committee on Commerce and Consumer Protection

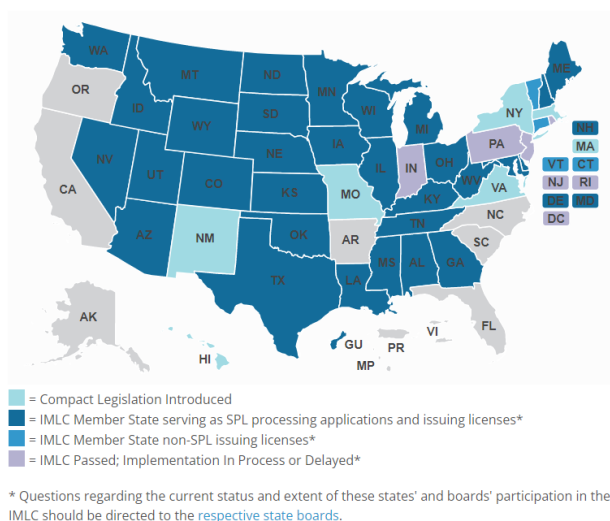
The Honorable Donovan M. Dela Cruz, Chair
The Honorable Gilbert S.C. Keith-Agaran, Vice Chair
Senate Committee on Ways and Means

Re: SB674 – Relating to the Interstate Medical Licensure Compact

Dear Chair Keohokalole, Chair Dela Cruz, Vice Chair Fukunaga, Vice Chair Keith-Agaran, and Members of the Committees:

Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify in support of SB674, which adopts the Interstate Medical Licensure Compact to create a comprehensive process that complements the existing licensing and regulatory authority of state medical boards and provides a streamlined process that allows physicians to become licensed in multiple states, thereby enhancing the portability of a medical license and ensuring the safety of patients.

HMSA strongly believes in strengthening access to quality health care services in the state of Hawaii. Participation in the physician compact can help, particularly in rural and underserved communities where the need is greatest. The Interstate Medical Licensure Compact was established in 2017 and currently includes 37 states, the District of Columbia, and the Territory of Guam (see map)¹. In these jurisdictions, physicians are licensed in 50 different medical and osteopathic boards.



While we recognize that becoming part of an interstate compact is not a silver bullet, it can be one tool in our tool belt to address the needs of our community. Physician licensure by endorsement in Hawaii can typically take anywhere from 45 to 120 days once an application is filed with the Hawaii Medical Board. By contrast, the IMLC says the process of issuing licenses in its member states usually takes only a few days. By providing an opportunity for providers who are already licensed in other states to practice in Hawaii, we can expand and support our current health care

¹ <https://www.imlcc.org/>



workforce while making it easier for Hawaii residents to access health care in the place they're located at the time when they need it.

For Hawaii to join the IMLC, legislation must be introduced to enact a bill authorizing the state to join. NOTE: The language of this bill² cannot be altered in any way and must be consistent between each participating state. We support the legislature's intent to address the shortage of physicians in the state while ensuring the safety of our residents.

Thank you for the opportunity to testify in support of SB674.

Sincerely,

A handwritten signature in black ink, appearing to read 'Dawn Kurisu', with a long horizontal flourish extending to the right.

Dawn Kurisu
Assistant Vice President
Community and Government Relations

² Interstate Medical Licensure Compact bill language. <https://www.imlcc.org/wp-content/uploads/2021/02/IMLC-Compact-Law.pdf>

SB-674-SD-1

Submitted on: 2/27/2023 10:41:31 PM

Testimony for CPN on 3/1/2023 9:50:00 AM

Submitted By	Organization	Testifier Position	Testify
Thomas Milcarek	Individual	Comments	Written Testimony Only

Comments:

I doubt you will give this any real consideration, however I am going to say it anyway. All the doctors we attract will not help with the real problems of our health. This Nation Ranks LAST in the developed Nations of this world in overall health outcomes. I am 73 years old and what I see going on concerns me greatly. We have sold out to a drug and vaccine agenda for profit that has little to do with real health. We have sold out to Chemical/GMO agriculture that is ruining our soil and food supply. It is not about healthy food, it is about Profit. For the love of God, whatever that means to you, STOP, and consider what I am saying. We are literally destroying ourselves. We had a chance to make a start this session and deal with the Pesticides that are killing our soil. All those bills failed to advance. Again, all this is about profit, having nothing to do with healthy soil or healthy food. We can do this differently, however not until you in office slow down and take a real look at what is happening. Without healthy soil, no healthy food. Without healthy food our health as a Nation will continue to deteriorate. Is anyone there willing to take a look at the facts? Again, God help us if you folks don't wake up. We owe our Keiki better. We could maybe fix this. We sure won't if we keep going down this same deadly path. PLEASE, STOP and Look into what I am saying. There are answers. We CAN do this differently. There are research places going on researching health agriculture. Reach out. Spend money bringing them here to help us heal our soil and food supply. I just read an article where on the Big Island, a pharmacy there is creating 500 patient doses of Chemo for Cancer a week., ON THAT SMALL ISLAND. Do you think it has something to do with what I am saying here? IT DOES! Somebody call me. Talk to me about this. I have been studying these issues for 50 years. Einstein said, "to keep doing the same thing over and over again and expect a different result is the definition of INSANIETY". That is what we are doing. Thomas Milcarek. 68-078 Au St. # 103 Waiialua, Hi. 96791. 831 227 1919