

Testimony of the Hawaii Medical Board

**Before the
Senate Committee on Health and Human Services
Friday, February 10, 2023
1:00 p.m.
Conference Room 225 and Videoconference**

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

Chair San Buenaventura and Members of the Committee:

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 purpose of this bill is to 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.

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. 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:

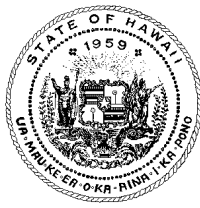
1. General fund appropriation to allow the Division:

- (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.

JOSH GREEN, M.D.
GOVERNOR



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAII
DEPARTMENT OF PUBLIC SAFETY
Ka 'Oihana Ho'opalekana Lehulehu
1177 Alakea Street
Honolulu, Hawai'i 96813

TOMMY JOHNSON
DIRECTOR

Melanie Martin
Deputy Director
Administration

Michael J. Hoffman
Acting Deputy Director
Corrections

William F. Oku
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 674
RELATING TO THE INTERSTATE MEDICAL LICENSURE COMPACT.

By
Tommy Johnson, Director

Senate Committee on Health and Human Services
Senator Joy A. San Buenaventura, Chair
Senator Henry J.C. Aquino, Vice Chair

Friday, February 10, 2023; 1:00 p.m.
State Capitol Conference Room 225 and Via Videoconference

Chair San Buenaventura, Vice Chair Aquino, and Members of the Committee:

The Department of Public Safety (PSD) supports Senate Bill (SB) 674, which seeks to adopt the Interstate Medical Licensure Compact and 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. PSD defers to the Department of Commerce and Consumer Affairs (DCCA) for its expertise on regulatory requirements.

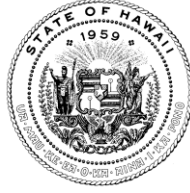
A significant challenge for PSD has been the recruitment and retention of experienced and qualified licensed healthcare professionals. The national shortage of physicians and psychiatrists has been well documented. The American Medical Association (AMA), the Health Resources and Services Administration (HRSA), and the Association of American Medical Colleges (AAMC) have projected an ongoing deficit in physicians and psychiatrists.

While many causes have been identified as contributors to the problem, the baby-boomer generation has reached retirement age, and the large size of this group has had an unavoidable impact. The projection on the Hawai'i healthcare workforce

Testimony on SB 674
Senate Committee on Health and Human Services
February 10, 2023
Page 2

shortage presented at the 2022 Hawai'i Health Workforce Summit was dismal. SB 674 would provide the State of Hawai'i with a recruitment tool and a means for addressing the issue of qualified Provider shortages.

Thank you for the opportunity to provide testimony on SB 674.



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

NADINE Y. ANDO
DIRECTOR | KA LUNA HO'OKELE

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA
SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

DEAN I HAZAMA
DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

KA 'OIHANA PILI KĀLEPA
335 MERCHANT STREET, ROOM 310
P.O. BOX 541
HONOLULU, HAWAII 96809
Phone Number: (808) 586-2850
Fax Number: (808) 586-2856
cca.hawaii.gov

Testimony of the Department of Commerce and Consumer Affairs

**Before the
Senate Committee on Health and Human Services
Friday, February 10, 2023
1:00 p.m.**

On the following measure:

S.B. 674 RELATING TO THE INTERSTATE MEDICAL LICENSURE COMPACT

Chair San Buenaventura 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 defers to and supports the Hawaii Medical Board's position on the measure's policy, administration and implementation matters. RICO **offers comments** on provisions that could directly impact RICO's enforcement authority, practices and/or daily operations.

The purpose of this bill is to authorize the Governor to enter into the Interstate Medical Licensure Compact (Compact) on behalf of the State of Hawaii. Under the Compact, appropriately licensed and qualified physicians may apply for an "expedited license" through that physician's "state of principal license" and register for a license in a

member state through a registration process established by the Interstate Medical Licensure Compact Commission (Commission). Page 9, lines 8-11, page 10, line 20 to page 11, line 4.

1. Notification of practice to the Hawaii Medical Board. A key to prompt and effective enforcement is the ability to find, locate and correctly identify licensees who may have committed acts of professional misconduct; notification is even more critical when licensees may not be domiciled in the state and may regularly travel between different jurisdictions on a multi-state privilege to practice. The measure's requirement that interested candidates make application to the Hawaii Medical Board for an expedited license, at page 9, lines 8-11, will definitely assist rather than delay or hinder enforcement efforts.

2. Fees. The important work of the Hawaii Medical Board and its dedicated staff, and RICO staff and operations as well, are supported primarily by licensing application and renewal fees. The measure authorizes the imposition of fees per section 6(a), on page 12, lines 8-11, and is therefore supportive and assistive of continuing good enforcement in this jurisdiction.

3. Licensure renewal & renewal Fees. Limiting the duration of a license through renewal cycles that require updating information and paying a renewal fee for the privilege to practice, is common and necessary for consumer safety. The renewal process helps to assure that practitioners are providing the regulatory authority with updated identification and contact information. It requires licensees to make assurances of continued good behavior while self-reporting misdeeds. It assures that practitioners are competent and current through completion of certain continuing education courses. The fees that are collected at renewal also assures a continuous revenue source for the state's regulatory program. Importantly, information learned through the renewal process that could implicate a licensing law violation including professional misconduct, are promptly referred by the Hawaii Medical Board to the RICO for investigation too. Paragraph (e) on page 11, lines 13 – 17, and section 7 of the measure which begins on page 12, line 14, addresses renewals and in doing so is supportive and assistive of continuing good enforcement in this jurisdiction.

4. Respecting the privacy rights of practitioners under investigation. Key to good enforcement is the ability to accord licensees dignity and respect when they are accused of unprofessional conduct because they are presumed innocent until proven otherwise by evidence that meets the appropriate legal standard. This measure supports and assists in this endeavor by requiring the Hawaii Medical Board to disclose only public actions or complaints to the governing body per page 14, section (b), lines 14 – 18, by making discretionary the reporting of non-public matters per page 15, section (d), lines 1-4 of the measure, and by giving the Hawaii Medical Board the option to choose to enter into joint investigations with other states and whether to share investigative information with them as well, per section 9 of the measure on page 15 at line 20 (. . . a member board “may” participate . . .), and on page 16, line 5 (. . . boards “may” share . . .). These provisions in the measure also seem consistent with upholding, rather than infringing upon, the significant privacy interest that practitioners in Hawaii have when they are under investigation for fitness to have or maintain a license.

5. Miscellaneous Issue – financing of governing body. Though we do not fully understand the implication of these, we note for the Committee 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), lines 12 – 15; and

b.) With a State’s permission, the governing body can also pledge the credit of any member state, see page 27, section (c), lines 6-8.

6. Miscellaneous Issue – ambiguity re indemnification of Hawaii Medical Board and RICO 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 10, to page 31, line 5, 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 conflict with provisions of existing state law.

Thank you for the opportunity to testify on this bill.



February 10, 2023 at 1:00 pm
Conference Room 225

Senate Committee on Health and Human Services

To: Chair Joy A. San Buenaventura
Vice Chair Henry J.C. Aquino

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

Re: **Testimony in Support**
SB 674, 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 Joy San Buenaventura, Chair
The Honorable Henry Aquino, Vice Chair
Members, Senate Committee on Health & Human Services

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

Date: February 10, 2023

Re: Testimony in support of SB 674: Relating to the Interstate 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 appreciates the opportunity to provide comments in **support** of SB 674, 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 streamlined 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.

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 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

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.

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 respectfully requests your support of SB 674.



To: The Honorable Joy San Buenaventura, Chair
The Honorable Henry Aquino, Vice Chair
Senate Committee on Health and Human Services

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

Hearing: Friday, February 10, 2023, 1pm

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

AlohaCare appreciates the opportunity to provide testimony in **support of SB674**. 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 health needs.

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 all residents of Hawai`i.

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

February 10, 2023

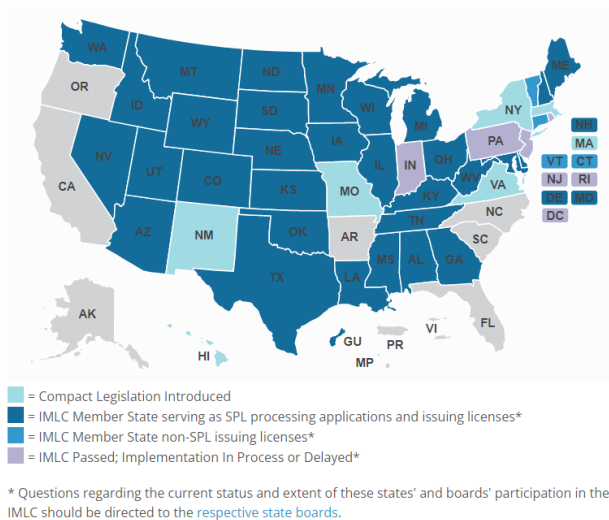
The Honorable Joy A. San Buenaventura, Chair
The Honorable Henry J.C. Aquino, Vice Chair
Senate Committee on Health and Human Services

Re: SB674 – Relating to the Interstate Medical Licensure Compact

Dear Chair San Buenaventura, Vice Chair Aquino, and Members of the Committee:

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 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

¹ <https://www.imlcc.org/>

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



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', is positioned above the typed name.

Dawn Kurisu
Assistant Vice President
Community and Government Relations



**Testimony to the Senate Committee on Health and Human Services
Friday, February 10, 2023; 1:00 p.m.
State Capitol; Conference Room 225
Via Videoconference**

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

Chair San Buenaventura, Vice Chair Aquino, and Members of the 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, 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 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.

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.

Testimony on Senate Bill No. 0674
Friday, February 10, 2023; 1:00 p.m.
Page 2

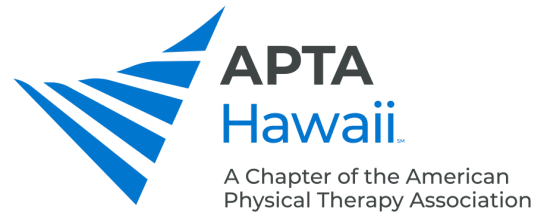
This shortage became even more evident during the COVID-19 pandemic as health care facilities required staff to work consecutive double- and triple-shifts to meet the ever present demand. The situation became so pronounced that health care workers from other states had to be brought in to keep our health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



SB674, RELATING TO THE INTERSTATE MEDICAL LICENSURE COMPACT

Sen HHS Committee Hearing
Friday, February 10, 2023- 1:00 PM
Room 225 & Videoconference
Position: SUPPORT

Dear Chair San Buenaventura, Vice Chair Aquino and HHS Committee Members:

I am the president of the Hawaii Chapter of the American Physical Therapy Association (APTA Hawaii) which represents the profession of physical therapy in Hawaii. We are in strong support of SB674 in which Hawaii would join the compact allowing physicians licensed in another state to practice in Hawaii. There has been an overall shortage of physicians and this measure begins to address that problem. This shortage has impacted the delivery of proper healthcare services, especially noted in our neighbor islands.

There are currently multiple compact bills for various healthcare providers, including (SB 668) which allows for the state to join a compact for physical therapists (PTs) and physical therapy assistants (PTAs). Currently, there are 28 states in the compact with 12 more pending. You can refer to <https://ptcompact.org/> website for more information. We believe there should be a compact for every healthcare profession.

Physicians and other healthcare professionals who are already properly licensed in other states would be able to immediately practice here in Hawaii. Instead of waiting for our respective licensing boards to review applications who may meet every other month, passage of this bill would unburden employers by having their newly hired employees readily available to treat patients. Consequently, this would facilitate access to necessary healthcare.

If you have any questions or concerns, feel free to contact me via president.apta.hawaii@gmail.com or phone 808-546-0937.

Thank you for your time and consideration,

Dr. Nicholas Bronowski, PT
President - APTA Hawaii
Board Certified Clinical Specialist in Orthopaedic Physical Therapy
Adjunct Faculty - Hawai'i Pacific University - Doctor of Physical Therapy Program



February 10, 2023

Joy A. San Buenaventura, Chair
Senate Health and Human Services Committee
Hawaii State Capitol, Room 420
415 S Beretania St.
Honolulu, HI 96813

Re: Hawaii Senate Bill 674

Dear Chairwoman San Buenaventura,

On behalf of the Federation of State Medical Boards (FSMB), I would like to urge our strong support for Senate Bill 674, the Interstate Medical Licensure Compact.

The Interstate Medical Licensure Compact is a pathway for expedited medical licensure that will expand access to care, streamline the licensing process for physicians, and facilitate multi-state practice and telemedicine, benefiting Hawaii patients and physicians. As we have learned from the COVID-19 pandemic, license portability for health professionals is critical in responding to a stressed health care system and providing patients with needed access to physicians. The FSMB supports licensure compacts for health professionals as the best mechanism to achieve license portability and, at the same time, protect patients and retain state authority over health professionals practicing in the state.

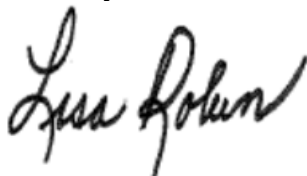
Since the IMLC legislation was released in September 2014, 37 states, the District of Columbia, and Guam have formally enacted the Compact. The Compact is supported nationally by the American Medical Association and the American Osteopathic Association. It also has broad and consistent support from physicians, patients, and health and hospital systems across the country.

The Compact is administered by the Interstate Medical Licensure Compact Commission (IMLCC) which is comprised of two representatives appointed by each member state or territory. This Commission serves as an administrative clearinghouse 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. It facilitates interstate cooperation and the transfer of information between member states and territories while regulatory control remains exclusively with the respective state medical boards. Since beginning the processing of expedited licensure applications in 2017, more than 55,000 medical licenses have been issued to interested physicians by compact member states. The Commission has implemented a sustainable business model based solely on user fees without the need for additional member state support or membership fees.

The Interstate Medical Licensure Compact is a testament to the work of medical regulatory boards, physicians, and other key stakeholders to reach consensus in support of a state-based solution that simultaneously expedites state medical license portability while ensuring public protection.

Again, the FSMB strongly supports Senate Bill 674 and urges the Committee to recognize the benefits that this legislation will have on expanding access to care and streamlining the licensing process not only for physicians providing care in Hawaii, but also for Hawaii physicians wishing to care for patients in other states.

Sincerely,

A handwritten signature in black ink, appearing to read "Lisa Robin". The signature is fluid and cursive, with the first name "Lisa" being more prominent than the last name "Robin".

Lisa A. Robin
Chief Advocacy Officer

About the FSMB

The FSMB is a national non-profit organization representing the medical boards within the United States and its territories that license and discipline allopathic and osteopathic physicians and, in some jurisdictions, other health care professionals. The FSMB serves as the voice for state medical boards, supporting them through education, assessment, research and advocacy while providing services and initiatives that promote patient safety, quality health care and regulatory best practices. The FSMB serves the public through [Docinfo.org](https://www.docinfo.org), a free physician search tool that provides background information on the more than 1 million doctors in the United States.



February 10, 2023

The Honorable Joy A. San Buenaventura
Chair, Hawai'i Senate Committee on Health & Human Services
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

The Honorable Henry J.C. Aquino
Vice Chair, Hawai'i Senate Committee on Health & Human Services
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

Dear Chair San Buenaventura and Vice Chair Aquino,

On behalf of the one-in-ten individuals in Hawai'i living with one of the over 7,000 known rare diseases, the National Organization for Rare Disorders (NORD) thanks you for your consideration of SB 674 during today's hearing. SB 674, if passed, would allow Hawai'i to join the Interstate Medical Licensure Compact (IMLC), an agreement between participating U.S. states to work together to significantly streamline the medical licensing process for physicians who want to practice in multiple states, therefore making it possible to improve patient access to medical specialists using telehealth. NORD urges you to support SB 674 and pass it favorably out of this Committee.

NORD is a unique federation of voluntary health organizations dedicated to helping people with rare diseases and assisting the organizations that serve them. NORD is committed to the identification, treatment, and cure of rare disorders through programs of education, advocacy, research, and patient services. We believe that all individuals with a rare disease should have access to quality and affordable health care that is best suited to meet their medical needs.

In the United States, a rare disease is defined as any disease, disorder, illness, or condition affecting fewer than 200,000 people.¹ Unfortunately, there are often very few specialists who have expertise in any given rare disease. As a result, patients frequently travel significant distances, often across state lines, to see a medical specialist qualified to provide appropriate treatment for their condition. In a survey of rare disease patients conducted by NORD in 2019, 40% of respondents reported traveling 60 miles or greater to see a medical specialist with expertise in their rare condition.²

While rare disease patients faced serious barriers to care even before the COVID-19 pandemic, these barriers increased significantly within the rare disease community as the pandemic shocked the U.S. and global health care systems. In a survey of rare disease patients and caregivers conducted by NORD in the summer of 2020, 79% of respondents reported experiencing a canceled medical appointment due to COVID-19.³ Fortunately, 88% of survey respondents reported being offered a telehealth appointment, and 92% who accepted the offer of a telehealth visit reported having a positive experience with telehealth.⁴ Looking ahead, many patients and providers have signaled that they appreciate and have



benefitted from the expanded use of telehealth and want to see its permanent integration into our health care system.

As mentioned previously, rare disease patients are often required to travel long distances, including across state lines, to access necessary and appropriate medical care. Currently, many state's licensure laws create barriers to care by limiting providers ability to see patients across state lines. This not only complicates access for patients, but also creates additional burdens for clinicians who want to see out-of-state patients who lack access to appropriate care closer to home. This is especially relevant for people with rare disorders living in Hawai'i, as many are forced to travel by plane to see providers based in other states. This barrier to care can prove insurmountable for some due to the significant costs associated with air travel and lodging, among other expenses.

SB 674 would make it easier for providers in other states to obtain licensure in Hawai'i, allowing those providers to see patients located in Hawai'i via telehealth. This would not only expand access to out-of-state medical specialists for individuals with diagnosed rare diseases living in Hawai'i, but also to diagnostics, potentially cutting down the often-extensive diagnostic odyssey patients go through to obtain an accurate diagnosis. In passing SB 674, Hawai'i would join 37 other U.S. states, the District of Columbia, and the Territory of Guam as participants in the Interstate Medical Licensure Compact.

Once again, on behalf of the Hawai'i rare disease community, we thank you for your consideration of SB 674 and urge its swift passage. For any questions, please feel free to contact Alyss Patel at apatel@rarediseases.org.

Sincerely,

Alyss Patel
State Policy Manager, Western Region
National Organization for Rare Disorders



Hawaii COPD Coalition
700 Richards St., Suite 2410
Honolulu, HI 96813
hicopd@gmail.com
(808)699-9839

February 8, 2023

Honorable Chair Senator Joy A San Buenaventura
Honorable Vice-Chair Senator Henry J C Aquino
Members of the Health and Human Services Committee

RE: **Strong Support for SB674, Relating to the Interstate Medical Licensure Compact**

Dear Chair Buenaventura, Vice Chair Aquino, and members of the Senate Committee on Health and Human Services,

This measure is extremely critical to the health of the children and adults of our counties, and our entire state as well. **Please strongly support and vote in favor of SB674**, which will adopt the Interstate Medical Licensure Compact to create a comprehensive process to complement existing licensing and allows physicians to become licensed in multiple states, increasing safety of patients.

I am Executive Director of the Hawaii COPD Coalition and serve over 45,000 Hawaii adults diagnosed with COPD in Hawaii (with an estimated equal number still undiagnosed). Chronic Obstructive Pulmonary Disease or COPD is an umbrella of diseases which include emphysema, chronic bronchitis and chronic asthma. Since 2007, I have worked in Hawaii, nationally and internationally with countless people who have had their lungs and lives horribly affected by tobacco and nicotine. Many of these people have become disabled and unable to perform jobs and hobbies they enjoyed, spending a lot more time and resources with healthcare providers and requiring support from society than they or any of us would like.

As part of my quest to optimize my health, I and several other patients I know have had to obtain care from doctors outside of Hawaii and continue to receive care from them. They have expertise and experience that supplements my medical providers in Hawaii and work well together. The out-of-state providers are easier to communicate with when I don't have to fly to see them in order to continue receiving care.

For 16 years, my primary lung doctor was at National Jewish in Denver, Colorado. When he retired in 2016, my care was transferred to a lung doctor at UCSF in California. My daughter has many healthcare providers in Hawaii as well as many in California and is frequently having to fly back and forth for her care as well. The local doctors work well with our mainland experts but don't have the same expertise as large medical centers like UCSF and Stanford and USC— it's a matter of volume and research and size.

- State licensing boards have the authority over the practice of medicine within their state. This authority allows states to manage clinician licenses and take disciplinary action against clinicians when needed.
- During the pandemic, lawmakers at the federal and state level issued temporary waivers under a public health emergency to allow clinicians to practice medicine across state lines, including via telehealth.
- As the state public health emergency declarations were rolled back, patients lost access to their out-of-state provider.
- One in five practitioners surveyed have provided health care services across state lines under a waiver since the pandemic began.
- 84 percent of health care practitioners support the option to provide telehealth across state lines, along with 72 percent of patients.
- Health care providers expect that state actions to end broad access to care across state lines has had a net negative impact on patient care.

The Hawaii COPD Coalition thanks you very much for your careful consideration of this most important and timely bill. **Please vote in favor of SB1447 and pass it out of committee so it can become law.**

Very truly yours,

Valerie Chang

Valerie Chang
Executive Director



February 10, 2023

To: Chair San Buenaventura, Vice Chair Aquino, and Members of the Senate Committee on Health and Human Services

From: Hawaii Association of Health Plans Public Policy Committee

Date/Location: February 10, 2023; 1:00 p.m., Conference Room 225/Videoconference

Re: Testimony in support of SB 674 – 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.

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



Senator Joy San Buenaventura, Chair
Senator Henry Aquino, Vice-Chair
Senate Committee on Health and Human Services
Hawaii State Capitol, Room 225

LATE

Friday, February 10, 2023
1:00 PM

Re: SB 674, Relating to Interstate Medical Licensure Compact

Chair San Buenaventura, Vice-Chair Aquino, and members of the Committee:

The Hawaii Psychiatric Medical Association (HPMA) is a professional, non-profit corporation serving psychiatrists in Hawaii. It is organized for the purpose of supporting professionalism in the practice of psychiatry and promoting top quality mental health care. HPMA fulfills a dual role, serving as a state association which focuses on local issues and as a district branch of the American Psychiatric Association (APA) linking HPMA members with developments in mental health care taking place regionally and nationally. We represent nearly 200 Psychiatrists, 30 of whom are Resident Physicians (Psychiatrists in Training).

HPMA is in support of SB 674, Relating to Interstate Medical Licensure Compact. This bill 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.

HPMA supports this concept as a safe way to access psychiatric medical care and prescribers. We understand that there are concerns by the legislature about accessing psychiatry care, especially in rural areas. This interstate medical licensure compact would help alleviate that problem, providing a safe, comprehensive process that allows for physicians to be licensed in multiple states. This, in conjunction with telehealth services, will allow for greater, safer access to medical care for Hawaii's residents.

Thank you for the opportunity to share our support of SB 674.

Mahalo,

Jennifer Lyman, MD Resident Physician
Hawaii Psychiatric Medical Association Legislative Co-Chair

Sarah Gabriel, MD Resident Physician
Hawaii Psychiatric Medical Association Legislative Co-Chair



LATE

Hawaii Medical Association

1360 South Beretania Street, Suite 200 • Honolulu, Hawaii 96814
Phone: 808.536.7702 • Fax: 808.528.2376 • hawaiimedicalassociation.org

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair

Senator Henry J.C. Aquino, Vice Chair

Date: February 10, 2023

From: Hawaii Medical Association

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

Re: SB674, 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



Friday, February 10, 2023 at 1:00PM
Via Video Conference; Conference Room 225

Senate Committee on Health and Human Services

To: Senator San Buenaventura, Chair
Senator Henry Aquino, Vice Chair

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

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

My name is Leslie 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 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.



LATE

February 10, 2023

Hawai'i Senate
ATTN: Committee on Health and Human Services
415 South Beretania Street
Honolulu, HI 96813

Re: SB 674: Relating to the Interstate Medical Licensure Compact

On behalf of the EveryLife Foundation for Rare Diseases, we are pleased to submit testimony in support of S.B. 674 *Relating to the Interstate Medical Licensure Compact*. The EveryLife Foundation is a nonprofit, nonpartisan organization dedicated to empowering the rare disease patient community to advocate for impactful, science-driven legislation and policy that advances the equitable development of and access to lifesaving diagnoses, treatments, and cures.

During the pandemic, a Hawai'i executive order permitted licensed physicians to meet with patients via telehealth without an in-person consultation or a prior existing physician-patient relationship. Though this executive order is no longer in effect, the Hawai'i legislature passed S.B. 970 in 2021 which authorized the establishment of a physician-patient relationship via telehealth if the physician is licensed to practice in Hawai'i. These executive and legislative actions granted patients greater access to care via telehealth.

By joining the Interstate Medical Licensure Compact, Hawai'i can complement its previous efforts to increase patient access to expert care via telemedicine by further streamlining the licensing process for physicians. The Interstate Medical Licensure Compact reduces duplicative paperwork for physicians to a single application while retaining states' rigorous medical licensing standards. This streamlined process provides an expedited pathway to licensure for qualified physicians and in turn increases patient access to out-of-state providers. This increased access would be extremely beneficial for patients with complex medical conditions who are unable to travel to receive care, especially specialty care that is often outside their state.

Expanding access and limiting the cost burden to reach expert care will help ensure patients with one or more of the estimated 10,000 rare diseases can receive the expert clinical care they need. A 2019 survey found that 39% of rare disease patients had to travel more than 60 minutes for care. In some instances, approximately 17% of survey respondents, rare disease families face the need to permanently relocate just to be closer to the few experts for their disease.¹

Additionally, limited access to specialty care and financial constraints to travel long distances commonly contribute to delayed diagnoses for rare disease patients. Unfortunately, the average time to receive a diagnosis from the first rare disease symptom is 6.3 years after visiting about 17 healthcare professionals, according to the National Economic Burden of Rare Disease Study.² Reasons for this lengthy diagnostic

¹ The National Organization for Rare Disorders. November 2020. [Barriers To Rare Disease Diagnosis Care And Treatment In The US: A 30-Year Comparative Analysis](#).

² EveryLife Foundation for Rare Diseases. April 2022. [The National Economic Burden of Rare Disease in the United States in 2019](#).

period include limited access and difficulty traveling to expert providers often outside of a patient's insurance network and geographic region.

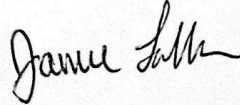
Lastly, patients and providers alike agree that telehealth across state lines is important for patient access and treatment.³

- 84 percent of health care practitioners support the option to provide telehealth across state lines, along with 72 percent of patients.
- One in five practitioners surveyed has provided health care services across state lines under a waiver since the pandemic began.
- Health care providers expect that state actions to end broad access to care across state lines have had a net negative impact on patient care.

Thank you for the opportunity to testify in support of S.B. 674 *Relating to the Interstate Medical Licensure Compact*. We are excited at the prospect of Hawai'i joining the other 37 states that have enacted similar legislation to retain continuity of care for all patients, including those with rare diseases. We strongly encourage you to support this bill and ensure that all Hawai'i residents with a rare disease can maintain access to care across state lines.



Emily Stauffer
State Policy Manager
EveryLife Foundation for Rare Diseases



Jamie Sullivan
Senior Director of Policy
EveryLife Foundation for Rare Diseases

CC:

Frank Sasinowski, Chair of the Board, EveryLife Foundation for Rare Diseases

Julia Jenkins, Executive Director, EveryLife Foundation for Rare Diseases

Annie Kennedy, Chief of Policy, Advocacy and Patient Engagement, EveryLife Foundation for Rare Diseases

³ Alliance for Connected Care. April 2022. [Patients and Practitioners Agree – Telehealth Is Important for Patient Access. Health Care Workforce.](#)

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

Hearing Date: Friday, February 10, 2023

Time: 1:00 p.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, 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** 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 28-29 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 (7)(a) on page 33-34. 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.



February 10, 2023

1 p.m.

Conference Room 225

VIA VIDEOCONFERENCE

To: Senate Committee on Health and Human Services

Sen. Joy A. San Buenaventura, Chair

Sen. Henry J.C. Aquino, Vice Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: SB674 — 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](#), 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.

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.

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

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 an upcoming policy brief on medical licensing by the Grassroot Institute of Hawaii, 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.

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.³

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.

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."⁴

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.

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

³ Karen Goldman, "[Options to Enhance Occupational License Portability.](#)" U.S. Federal Trade Commission, September 2018, p. 25.

⁴ 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.

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
Director of Strategic Campaigns,
Grassroot Institute of Hawaii