

Testimony of the Hawaii Medical Board

**Before the
House Committee on Consumer Protection and Commerce
and
House Committee on Legislative Management
Thursday, April 13, 2023
2:00 p.m.
Room 329 and Videoconference**

**On the following measure:
S.C.R. 4, S.D. 1, REQUESTING THE AUDITOR TO CONDUCT A SUNRISE REVIEW
OF THE REGULATION AND LICENSURE OF ASSOCIATE PHYSICIANS**

WRITTEN TESTIMONY ONLY

Chair Nakashima, Chair Nakamura, and Members of the Committees:

My name is Ahlani Quiogue, and I am the Executive Officer of the Hawaii Medical Board (Board). I apologize for not being able to attend this hearing as the Board's monthly meeting is scheduled at the same time. The Board supports this concurrent resolution.

The purposes of this concurrent resolution are to: (1) in accordance with Hawaii Revised Statutes (HRS) section 26H-6, have the auditor conduct a sunrise review of the licensure of associate physicians proposed by S.B. 61; and (2) have the auditor submit findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2024.

The Board supports this concurrent resolution as an alternative to S.B. 61. A sunrise analysis would help identify the probable effects of the proposed regulatory measure and allow all parties to address concerns and recommend language to protect the health, safety, and welfare of the consumers of this State.

Thank you for the opportunity to testify on this concurrent resolution.

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HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

The Honorable Mark M. Nakashima, Chair
The Honorable Jackson D. Sayama, Vice Chair

HOUSE COMMITTEE ON LEGISLATIVE MANAGEMENT

The Honorable Nadine K. Nakamura, Chair
The Honorable Dee Morikawa, Vice Chair

**S.C.R. NO. 4, S.D. 1, REQUESTING THE AUDITOR TO CONDUCT A SUNRISE
REVIEW OF THE REGULATION AND LICENSURE OF ASSOCIATE PHYSICIANS**

Hearing: Thursday, April 13, 2023, 2:00 p.m.

The Office of the Auditor offers the following comments on S.C.R. No. 4, S.D. 1, which requests the Auditor to conduct a sunrise review of the regulation and licensure of associate physicians. S.C.R. No. 4, S.D. 1, identifies S.B. No. 61 which adds a new part specific to associate physicians of Chapter 453, Hawai'i Revised Statutes (HRS).

Section 26H-6, HRS, states "New regulatory measures being considered for enactment that, if enacted, would subject *unregulated professions and vocations* to licensing or other regulatory controls shall be referred to the auditor for analysis." (Emphasis added.) S.B. No. 61, however, does not appear to propose regulation of an *unregulated* profession. Rather, the bill proposes to allow medical school graduates who have not completed their postgraduate residency to provide primary care medical services under a license issued by the Hawai'i medical board. The "associate physician" license proposed in S.B. No. 61 appears to be part of the medical profession, which is currently regulated in Hawai'i and includes different types of licenses, including "physician."

Based on our understanding that the associate physicians are medical professionals, i.e., medical school graduates who have yet to complete their postgraduate residency, we suggest that the profession is already regulated and the sunrise review requested under S.C.R. No. 4 is unnecessary.

Thank you for considering our testimony related to S.C.R. No. 4, S.D. 1.