

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 668  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 668, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PHYSICAL THERAPY COMPACT,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize the Governor to enter the State into the multi-state Physical Therapy Licensure Compact, which will allow a physical therapist licensed by a home state to practice under a multi-state licensure privilege in each party state; and
- (2) Require the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Compact.

Your Committee received testimony in support of this measure from the United States Department of Defense, Physical Therapy Compact Commission, and Hawaii Chapter of the American Physical Therapy Association Hawaii. Your Committee received testimony in opposition to this measure from the Hawaii Association for Justice. Your Committee received comments on this measure from the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, Regulated Industries Complaints Office of the Department of Commerce and Consumer



Affairs, Board of Physical Therapy, and Grassroot Institute of Hawaii.

Your Committee finds that there is a chronic shortage of health care professionals, including physical therapists, in the State. This shortage has impacted the delivery of proper rehabilitation services, particularly on the neighbor islands. By joining a Compact of States who have enacted the same needed legislation, physical therapists and physical therapist assistants who are already properly licensed in other states would be allowed to quickly practice in Hawaii rather than waiting for the Board of Physical Therapy, who meets every other month, to review applications for physical therapist and physical therapist assistant licensure. As a result, this measure would facilitate increased access to necessary physical therapy health care in the State, while maintaining regulatory safeguards.

Your Committee acknowledges the concerns raised in testimony that the Physical Therapy Licensure Compact requires applicants to undergo criminal background checks, but that the Department of Commerce and Consumer Affairs does not have the authority to conduct criminal background checks on applicants for physical therapist and physical therapist assistant licensure. Therefore, amendments to this measure are necessary to address these concerns.

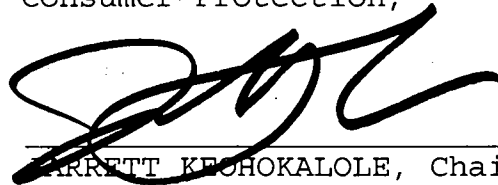
Accordingly, your Committee has amended this measure by:

- (1) Inserting language requiring applicants for physical therapist or physical therapist assistant licensure to submit a full set of electronic fingerprints for the purpose of obtaining federal and state criminal history record checks;
- (2) Inserting language authorizing the Department of Commerce and Consumer Affairs to conduct criminal background checks on applicants for physical therapist or physical therapist assistant licensure; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 668, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 668, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,



BARRETT KEOHOKALOLE, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB668 SD1	HHS, CPN	3/2/23		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)				✓
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton			✓	
<b>TOTAL</b>	3	0	1	1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency        Committee File Copy				

\*Only one measure per Record of Votes