

ACT 44

S.B. NO. 2653

A Bill for an Act Relating to Chapter 453, Hawaii Revised Statutes.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that one of the goals of medical licensure should be to establish access to quality medical care and overcome geographic barriers.

The legislature further finds that additional barriers such as availability and access may exist which can impede licensure in Hawaii of qualified physicians, surgeons, and osteopathic physicians. The legislature additionally finds that licensure by endorsement will provide an expedited and efficient process for a qualified physician, surgeon, or osteopathic physician to become licensed and provide quality medical care in Hawaii.

Accordingly, the purpose of this Act is to establish requirements for the licensure by endorsement of physicians, surgeons, and osteopathic physicians to practice in Hawaii.

SECTION 2. Chapter 453, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§453- Licensure by endorsement. (a) The board may issue a license by endorsement to a physician, surgeon, or osteopathic physician if:

- (1) The applicant:
 - (A) Files an application and pays fees as prescribed by the board;
 - (B) Holds a current, unencumbered, active license in a jurisdiction that requires qualifications substantially equivalent to or greater than the qualifications for licensure in this State as specified in section 453-4; and
 - (C) Submits proof satisfactory to the board that the applicant has actively practiced medicine in another jurisdiction for at least two of the immediate preceding five years; and
- (2) The board determines that no disciplinary action has been taken by any medical licensing authority and the applicant has not been the subject of adverse judgments or settlements resulting from the

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practice of medicine that the board determines constitute evidence of a pattern of negligence or incompetence.

(b) The board may require an applicant seeking licensure by endorsement to take and pass the Special Purpose Examination (SPEX) or the Comprehensive Osteopathic Medical Variable-Purpose Examination – USA (COMVEX-USA) to assist the board in determining the applicant’s ability to safely and competently engage in the practice of medicine.”

SECTION 3. The department of commerce and consumer affairs may employ necessary personnel without regard to chapter 76, Hawaii Revised Statutes, to assist with the implementation and continuing functions of this Act.

SECTION 4. There is appropriated out of the compliance resolution fund established pursuant to section 26-9(o), Hawaii Revised Statutes, the sum of \$104,000 or so much thereof as may be necessary for fiscal year 2018-2019 for purposes of implementing this Act.

The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this Act.

SECTION 5. New statutory material is underscored.¹

SECTION 6. This Act shall take effect on July 1, 2018; provided that section 2 shall take effect on December 31, 2018.

(Approved June 13, 2018.)

Note

1. Edited pursuant to HRS §23G-16.5.