

ACT 102

S.B. NO. 599

A Bill for an Act Relating to Health.

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

SECTION 1. Section 453-5.5, Hawaii Revised Statutes, is amended to read as follows:

“§453-5.5 Physician assistant; authority to sign documents. Any physician assistant who holds a current, valid, and permanent license to practice medicine pursuant to this chapter, and who is under the supervision of a licensed physician or osteopathic physician, shall have the authority to sign the following documents:

- (1) Certification of psychiatric medical condition of the parents of a child applicant for aid from the temporary assistance for needy families program;
- (2) Evaluation forms for Hansen’s disease patients;
- (3) Orders for physical therapy and plans of care;
- (4) Pharmacist orders to assist in monitoring and management of anti-coagulation anemia and atrial fibrillation;
- (5) Orders for speech therapy and plans of care;
- (6) Applications for bracelets indicating compassionate care only;
- (7) Admissions applications for foster homes;
- (8) Dietary consultations forms;
- (9) Medicaid application forms for nursing care facility admission; ~~and~~
- (10) Orders for occupational therapy and plans of care~~[-]; and~~
- (11) Orders for respiratory therapy and plans of care.”

SECTION 2. Section 466D-1, Hawaii Revised Statutes, is amended by amending the definitions of “practice of respiratory care” and “qualified medical direction” to read as follows:

““Practice of respiratory care” means providing assessment, therapy, management, rehabilitation, support services for diagnostic evaluation, education, and care for patients with deficiencies and abnormalities that affect the pulmonary system, including:

- (1) Respiratory care services, including the administration of pharmacological, diagnostic, and therapeutic care related to respiratory care procedures necessary for treatment, disease prevention, rehabilitative, or diagnostic regimens prescribed by a physician[;] or an osteopathic physician licensed pursuant to chapter 453, a physician assistant licensed pursuant to chapter 453, or an advanced practice registered nurse licensed pursuant to chapter 457;
- (2) Observation and monitoring of signs, symptoms, reactions, and physical responses to respiratory care treatment and diagnostic testing;
- (3) Diagnostic or therapeutic use of:
 - (A) Medical gases, excluding general anesthesia;
 - (B) Aerosols, humidification, environmental control systems, or invasive and non-invasive modalities;
 - (C) Pharmacological care related to respiratory care procedures;
 - (D) Mechanical or physiological ventilatory support, including maintenance of natural airways and insertion and maintenance of artificial airways;
 - (E) Cardiopulmonary resuscitation; and
 - (F) Respiratory protocol and evaluation or diagnostic and testing techniques required for implementation of respiratory care protocols; and
- (4) The transcription and implementation of the written, verbal, and telecommunicated orders of a licensed physician, licensed osteopathic physician, licensed physician assistant, or licensed advanced practice registered nurse, pertaining to the practice of respiratory care.

“Qualified [~~medical~~] direction” means ready access by a respiratory therapist to a licensed physician, licensed osteopathic physician, licensed physician assistant, or licensed advanced practice registered nurse, who has specialty training or experience in the management of acute and chronic respiratory disorders and who is responsible for the quality, safety, and appropriateness of the respiratory services provided by the respiratory therapist.”

SECTION 3. Section 466D-4, Hawaii Revised Statutes, is amended to read as follows:

~~“[§466D-4] Physician supervision~~ Order and qualified direction required. No person shall practice respiratory care under this chapter except under the ~~[direct]~~ order and qualified ~~[medical]~~ direction of a physician or an osteopathic physician licensed pursuant to chapter 453[-], a physician assistant licensed pursuant to chapter 453, or an advanced practice registered nurse licensed pursuant to chapter 457.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved June 22, 2023.)