

STAND. COM. REP. NO.

747

Honolulu, Hawaii

MAR 06 2009

RE: S.B. No. 1610
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 1610, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MEDICAL ORDERS,"

begs leave to report as follows:

The purpose of this measure is to clarify that:

- (1) A physician assistant acts as agent of the supervising physician when issuing a medical order and the order is deemed to be issued by the supervising physician;
- (2) When following a medical order issued by a physician assistant, a registered nurse follows a medical order issued by the supervising physician for whom the physician assistant acts as an agent; and
- (3) The law does not relieve physician assistants or registered nurses from exercising due care in performing duties and responsibilities within their respective scope of practice.

Testimony in support of this measure was submitted by the Board of Nursing, Hawaii Medical Board, American Academy of Physicians Assistants, Puna Community Medical Center, Hawaii Academy of Physicians Assistants, and fourteen private citizens. Testimony in opposition was submitted by Kaiser Permanente. Written testimony presented to the Committee may be reviewed on the Legislature's website.

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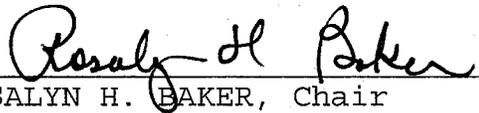
Your Committee finds that licensing and regulating the scope of practice of physician assistants and registered nurses has developed independently for the two healthcare disciplines. As a result, regulatory language pertaining to their respective responsibilities to follow a physician's orders is neither compatible nor clear. Your Committee understands that this inconsistency has led to problematic situations when registered nurses decline to accept orders from physician assistants.

Your Committee further finds that this measure provides clarity for both physician assistants and registered nurses, which will ensure access to more effective health care for patients of both professions.

Your Committee has amended this measure by making technical amendments for the purposes of clarity and style.

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. 1610, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 1610, S.D. 2.

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



ROSALYN H. BAKER, Chair



