

Honolulu, Hawaii

FEB 12 2010

RE: S.B. No. 2600

S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Madam:

Your Committees on Health and Commerce and Consumer
Protection, to which was referred S.B. No. 2600 entitled:

"A BILL FOR AN ACT RELATING TO HEALTHCARE,"

beg leave to report as follows:

The purpose of this measure is to regulate the practice of
respiratory care by establishing a respiratory therapist program
within the Department of Commerce and Consumer Affairs and
respiratory therapist licensure requirements.

Your Committees received testimony in support of this measure
from the Hawaii COPD Coalition and eighty-one individuals. Your
Committees received testimony in opposition to this measure from
one individual. Testimony in support of this measure with
amendments was submitted by The Queen's Medical Center, the Hawaii
Society for Respiratory Care, and the American Board of Internal
Medicine. The Department of Commerce and Consumer Affairs
submitted testimony with comments on this measure. Written
testimony presented to the Committees may be reviewed on the
Legislature's website.

Your Committees find that this measure establishes a
regulatory scheme for respiratory therapists, who often treat the
most critically ill patients in Hawaii as well as providing
homecare to vulnerable populations, and will ensure the continued
high quality of respiratory care that Hawaii is known for. Your
Committees further find that by being one of only two states that
does not regulate respiratory therapy, Hawaii has become a



desirable destination for therapists with disciplinary problems in more tightly regulated states and that this measure addresses the situation to protect Hawaii's patients.

Your Committees have amended this measure by:

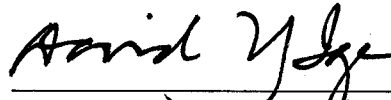
- (1) Including a section expressly establishing a respiratory therapist program within the Department of Commerce and Consumer Affairs to be administered by the Director of that agency;
- (2) Clearly stating that this measure is not intended to affect other licensed or credentialed healthcare practitioners, particularly sleep technologists and employees of durable medical equipment providers;
- (3) Requiring six credit hours per year of continuing education to renew a respiratory therapist license;
- (4) Clarifying that only application fees are nonrefundable;
- (5) Changing the effective date to July 1, 2011 to provide the Department of Commerce and Consumer Affairs sufficient time to implement the requirements of this measure;
- (6) Clarifying that licenses shall be renewed triennially on or before June 30 of each year with the first renewal deadline set for July 1, 2014;
- (7) Changing the date of the appropriations to reflect the effective date of this measure; and
- (8) Making technical, nonsubstantive changes to ensure clarity and accuracy in the language of this measure.

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2600, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2600, S.D. 1, and be referred to the Committee on Ways and Means.



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


ROSALYN H. BAKER, Chair


DAVID Y. ICE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* <div style="font-size: 1.2em; font-family: cursive;">SB 2600</div>	Committee Referral: <div style="font-size: 1.2em; font-family: cursive;">HTH / CPN, WAM</div>	Date: <div style="font-size: 1.2em; font-family: cursive;">2/9/10</div>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="text-align: center;"> <input type="checkbox"/> Pass, unamended 2312 </div> <div style="text-align: center;"> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div style="text-align: center;"> <input type="checkbox"/> Hold 2310 </div> <div style="text-align: center;"> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
GREEN, M.D., Josh (VC)	✓			
BAKER, Rosalyn H.	✓			
ESPERO, Will	✓			
NISHIHARA, Clarence K.				✓
HEMMINGS, Fred				✓
TOTAL	4	0	0	2
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 10px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <div style="font-size: 1.5em; font-family: cursive; margin-left: 20px;">Josh Green</div>				
Distribution: <div style="display: flex; justify-content: space-between; margin-top: 5px;"> <div>Original File with Committee Report</div> <div>Yellow Clerk's Office</div> <div>Pink Drafting Agency</div> <div>Goldenrod Committee File Copy</div> </div>				

*Only one measure per Record of Votes

The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:* <i>SB 2600</i>	Committee Referral: <i>HTH/CPN, WAM</i>	Date: <i>2/10/10</i> ⁹ <i>RAB</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div> <input type="checkbox"/> Pass, unamended 2312 </div> <div> <input checked="" type="checkbox"/> Pass, with amendments 2311 </div> <div> <input type="checkbox"/> Hold 2310 </div> <div> <input type="checkbox"/> Recommit 2313 </div> </div>				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)	✓			
ESPERO, Will	✓			
GREEN, M.D., Josh	✓			
IHARA, Jr., Les	✓			
SAKAMOTO, Norman				✓
HEMMINGS, Fred				✓
TOTAL	<i>5</i>	<i>0</i>	<i>0</i>	<i>2</i>
Recommendation: <div style="display: flex; justify-content: space-around; margin-top: 5px;"> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted </div>				
Chair's or Designee's Signature: <i>[Signature]</i>				
Distribution: <div style="display: flex; justify-content: space-between; font-size: small; margin-top: 5px;"> Original File with Committee Report Yellow Clerk's Office Pink Drafting Agency Goldenrod Committee File Copy </div>				

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