

Honolulu, Hawaii

APR - 8 2010

RE: S.R. No. 53  
S.D. 2

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

Madam:

Your Committee on Commerce and Consumer Protection, to which  
was referred S.R. No. 53, S.D. 1, entitled:

"SENATE RESOLUTION URGING THE BOARD OF NATUROPATHIC MEDICINE  
TO ADOPT RULES CONSISTENT WITH ACT 22, SPECIAL SESSION LAWS  
OF HAWAII 2009, TO ALLOW NATUROPATHIC PHYSICIANS TO PERFORM  
PARENTERAL THERAPY,"

begs leave to report as follows:

The purpose of this measure is to urge the Board of  
Naturopathic Medicine to immediately adopt administrative rules  
that:

- (1) Allow the use of parenteral therapy by naturopathic  
physicians in accordance with Act 22, Special Session  
Laws of Hawaii 2009; and
- (2) Grandfather all persons licensed under chapter 455,  
Hawaii Revised Statutes, to allow those persons to  
perform intramuscular, subcutaneous, and intravenous  
injections and to prescribe, administer, and dispense  
naturopathic formulary substances manufactured for  
injection.

Testimony in support of this measure with amendments was  
submitted by one individual. Testimony commenting on this measure  
was submitted by the Hawaii Medical Association. Written  
testimony presented to the Committee may be reviewed on the  
Legislature's website.

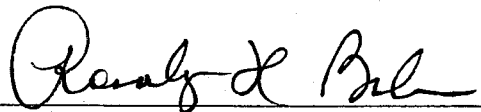


Your Committee finds that in passing Act 22, Special Session Laws of Hawaii 2009, it was the Legislature's intent to allow naturopathic physicians to perform parenteral therapies. Your Committee further finds that the Legislature delayed the effective date of the prohibition on parenteral therapy to provide the Board of Naturopathic Medicine with sufficient time to establish the required rules, which it has failed to do. As a result, patients' parenteral care regimens have been needlessly interrupted, detrimentally impacting patient care. Your Committee hopes that the Board of Naturopathic Medicine will correct the problems associated with its tardiness by adopting the necessary administrative rules with all possible speed.

Your Committee has amended this measure by making technical, nonsubstantive changes to insure clarity and accuracy in the language of this measure.

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 concurs with the intent and purpose of S.R. No. 53, S.D. 1, as amended herein, and recommends its adoption in the form attached hereto as S.R. No. 53, S.D. 2.

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



ROSALYN H. BAKER, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

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

Bill / Resolution No.:* <b>SR53 SD1</b>	Committee Referral: <b>HTH, CPN</b>	Date: <b>04-07-10</b>		
<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
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)				✓
ESPERO, Will	✓			
GREEN, M.D., Josh		✓		
IHARA, Jr., Les				✓
SAKAMOTO, Norman				✓
HEMMINGS, Fred			✓	
<b>TOTAL</b>	<b>2</b>	<b>1</b>	<b>1</b>	<b>3</b>
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: <div style="text-align: center; margin-top: 10px;"> </div>				
<div style="display: flex; justify-content: space-between; font-size: small;"> <div>Distribution:</div> <div>Original</div> <div>Yellow</div> <div>Pink</div> <div>Goldenrod</div> </div> <div style="display: flex; justify-content: space-between; font-size: x-small; margin-top: 5px;"> <div>File with Committee Report</div> <div>Clerk's Office</div> <div>Drafting Agency</div> <div>Committee File Copy</div> </div>				

\*Only one measure per Record of Votes