

JAN 24 2018

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# A BILL FOR AN ACT

RELATING TO PHYSICIAN ASSISTANTS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that Hawaii is facing a  
2 critical physician shortage. The University of Hawaii's most  
3 recent physician workforce assessment found that Oahu needs  
4 three hundred eighty-one physicians, the Big Island is short one  
5 hundred ninety-six physicians, Maui county has a deficit of one  
6 hundred thirty-nine physicians and Kauai needs fifty-three  
7 physicians. Physician assistants, like nurse practitioners, can  
8 help fill this need.

9           The legislature further finds that physician assistants  
10 undergo rigorous medical training. They must take a test in  
11 general medicine in order to be licensed and certified, and they  
12 must graduate from an accredited physician assistant program and  
13 pass a certification exam. Like physicians and nurse  
14 practitioners, physician assistants must complete extensive  
15 continuing medical education throughout their careers. Studies  
16 have shown that when physician assistants practice to the full  
17 extent of their abilities and training, hospital readmission



1 rates and lengths of stay decrease and infection rates go down.  
2 A Harris poll found extremely high satisfaction rates among  
3 Americans who interact with physician assistants. The survey  
4 found that ninety-three per cent of respondents regard physician  
5 assistants as trusted healthcare providers, ninety-two per cent  
6 of respondents said that having a physician assistant makes it  
7 easier to get a medical appointment, and ninety-one per cent of  
8 respondents believe that physician assistants improve the  
9 quality of healthcare.

10 The legislature further finds that current requirements for  
11 the license renewal of physician assistants is overly burdensome  
12 and discourages individuals from entering the profession.  
13 Hawaii is one of a minority of states that mandate both  
14 continuing education requirements and certification by the  
15 National Commission of Certification of Physician Assistants for  
16 the renewal of a physician assistant license. More than thirty  
17 states allow physician assistants to renew their licenses by  
18 meeting continuing education requirements only.

19 The legislature believes that Hawaii's licensing standard  
20 for physician assistants should be aligned with the majority of



1 states and the growth of the physician assistant profession  
2 should be encouraged.

3 The purpose of this Act is to allow physician assistants to  
4 renew their licenses by meeting continuing education  
5 requirements only.

6 SECTION 2. Section 453-5.3, Hawaii Revised Statutes, is  
7 amended to read as follows:

8 "§453-5.3 Physician assistant; licensure required. (a)

9 The Hawaii medical board shall require each person practicing  
10 medicine under the supervision of a physician or osteopathic  
11 physician, other than a person licensed under section 453-3, to  
12 be licensed as a physician assistant. A person who is trained  
13 to do only a very limited number of diagnostic or therapeutic  
14 procedures under the direction of a physician or osteopathic  
15 physician shall not be deemed a practitioner of medicine or  
16 osteopathy and therefore does not require licensure under this  
17 section.

18 (b) The board shall establish medical educational and  
19 training standards with which a person applying for licensure as  
20 a physician assistant shall comply. The standards shall be at



1 least equal to recognized national education and training  
2 standards for physician assistants.

3 (c) Upon satisfactory proof of compliance with the  
4 required medical educational and training standards, the board  
5 may grant state licensure to a person who has been granted  
6 certification based upon passage of a national certifying  
7 examination and who holds a current certificate from the  
8 national certifying entity approved by the board.

9 (d) The board shall approve temporary licensure of an  
10 applicant under this section. The applicant shall have  
11 graduated from a board approved training program within twelve  
12 months of the date of application and never taken a national  
13 certifying examination approved by the board but otherwise meets  
14 the requirements of this section. The applicant shall file a  
15 complete application with the board and pay all required fees.  
16 If the applicant fails to apply for, or to take, the first  
17 examination scheduled by the board following the issuance of the  
18 temporary license, fails to pass the examination, or fails to  
19 receive licensure, all privileges under this section shall  
20 automatically cease upon written notification sent to the



1 applicant by the board. A temporary license shall be issued  
2 only once to each person.

3 (e) Prior to practicing under temporary licensure, holders  
4 of temporary licenses shall notify the board in writing of any  
5 and all supervising physicians or osteopathic physicians under  
6 whom they will be performing services.

7 (f) The board shall establish the degree of supervision  
8 required by the supervising physician or osteopathic physician  
9 when a physician assistant performs a service within the  
10 practice of medicine. A physician or osteopathic physician who  
11 does not supervise a physician assistant's services at the  
12 degree required by the board shall be deemed to have engaged in  
13 professional misconduct.

14 (g) Any license of a physician assistant may be denied,  
15 not renewed, revoked, limited, or suspended under section 453-8.

16 (h) The board shall establish the application procedure,  
17 medical educational and training standards, examination  
18 requirement, if any, and degrees of supervision by rule.

19 (i) Every person holding a license under this section  
20 shall apply for renewal with the board no later than January 31  
21 of each even-numbered year and pay a renewal fee. Failure to



1 apply for renewal shall constitute a forfeiture of the license  
2 that may only be restored upon written application for  
3 restoration and payment to the board of a restoration fee.

4 (j) Prior to each license renewal, a person holding a  
5 license under this section shall furnish the board with proof of  
6 completion during the time period subsequent to the person's  
7 previous license renewal of continuing education as required by  
8 the board; provided that the board shall not require a physician  
9 assistant to maintain or receive certification by the National  
10 Commission of Certification of Physician Assistants to satisfy  
11 the continuing education requirement or for license renewal.

12 [~~(j)~~] (k) A license that has been forfeited for one  
13 renewal term shall be automatically terminated and cannot be  
14 restored. A new application for licensure shall be required."

15 SECTION 3. This Act does not affect rights and duties that  
16 matured, penalties that were incurred, and proceedings that were  
17 begun before its effective date.

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



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

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INTRODUCED BY:

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# S.B. NO. 3074

**Report Title:**

Physician Assistants; Licensing Renewals

**Description:**

Requires continuing education for physician assistants to renew their licenses. Prohibits the Hawaii Medical Board from requiring a physician assistant to maintain or receive certification by the National Commission of Certification of Physician Assistants to satisfy the requirement for continuing education or for license renewal.

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