

JAN 18 2019

A BILL FOR AN ACT

RELATING TO SPORTS MEDICINE.

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

1 SECTION 1. Chapter 453, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§453- Sports teams; out-of-state physicians; exemption
5 from licensure. (a) Notwithstanding any other provision of law
6 to the contrary, an out-of-state physician shall be exempt from
7 the licensure requirements under section 453-2 if:

8 (1) The out-of-state physician has a written or oral
9 agreement with a sports team to provide care to sports
10 team members for a specific sporting event to take
11 place in the State; or

12 (2) The physician has been invited by a national sport
13 governing body to provide services to sports team
14 members at a national sport training center in the
15 State or provide services at an event or competition
16 in the State that is sanctioned by the national sport
17 governing body; provided that:



1 (A) The out-of-state physician's practice is limited
2 to that required by the national sport governing
3 body; and

4 (B) The services provided by the out-of-state
5 physician are within the out-of-state physician's
6 scope of practice.

7 (b) An exemption granted pursuant to subsection (a) shall
8 remain in force while the out-of-state physician is traveling
9 with the sports team; provided that the exemption shall be valid
10 for no longer than ten days per individual sporting event.

11 (c) Upon prior request by an out-of-state physician, the
12 board may grant the out-of-state physician additional time for
13 the exemption permitted by subsection (a), up to twenty
14 additional days per sporting event. The total number of days an
15 out-of-state physician may be exempt pursuant to this section,
16 including additional time granted upon request, shall not exceed
17 thirty days in a calendar year.

18 (d) Nothing in this section shall be construed to
19 authorize an out-of-state physician to:



1 (1) Provide care or consultation to any person residing in
2 this State, other than a person described in
3 subsection (a); or

4 (2) Practice medicine or provide care or consultation at
5 any health care facility in the State.

6 (e) The board may enter into agreements with medical and
7 osteopathic licensing boards of other jurisdictions to implement
8 this section. Agreements may include procedures for reporting
9 potential medical license violations.

10 (f) For purposes of this section:

11 "Health care facility" shall have the same meaning as in
12 section 323D-2.

13 "Out-of-state physician" means a physician or osteopathic
14 physician licensed in another state, territory, or jurisdiction
15 of the United States or another country who:

16 (1) Holds a current license in good standing in the other
17 jurisdiction; and

18 (2) Engages in the active practice of medicine in the
19 other jurisdiction.

20 "Sports team" means any professional or amateur level group
21 from outside the State organized for the purpose of engaging in



1 athletic events and that employs the services of an out-of-state
2 physician.

3 "Sports team member" means:

4 (1) A member of a sports team;

5 (2) A member of a sports team's coaching, communications,
6 equipment, or sports medicine staff;

7 (3) A member of a band, dance team, or cheerleading squad
8 accompanying a sports team; or

9 (4) A sport team's mascot."

10 SECTION 2. New statutory material is underscored.

11 SECTION 3. This Act shall take effect upon its approval.

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S.B. NO. 251

Report Title:

Sports Teams; Out-of-State Physicians; Exemption from Licensure

Description:

Provides a limited exemption from state licensure requirements to out-of-state physicians who accompany a sports team to a specific sporting event in Hawaii or are invited to provide services at a national sport training center, event, or competition in Hawaii, if certain conditions are met.

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