

JAN 22 2021

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# A BILL FOR AN ACT

RELATING TO THE PRACTICE OF MEDICINE.

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

1           SECTION 1. The legislature finds that the definition of  
2 the practice of medicine was last amended in 2008 by including a  
3 distinct definition of osteopathic medicine. The legislature  
4 further finds that medical doctors and osteopathic doctors are  
5 both physicians of equivalent education and training and should  
6 be regulated as such.

7           Accordingly, the purpose of this Act is to establish a  
8 definition of the practice of medicine that provides uniformity  
9 of practice for both medical and osteopathic physicians.

10          SECTION 2. Section 453-1, Hawaii Revised Statutes, is  
11 amended to read as follows:

12          "**§453-1 Practice of medicine defined.** For the purposes of  
13 this chapter, the practice of medicine by a physician or an  
14 osteopathic physician includes the use of drugs and  
15 medicines[7]; surgery; manual medicine; water[7];  
16 electricity[7]; hypnotism[7]; telehealth; the interpretation of  
17 tests, including primary diagnosis of pathology specimens,



1 medical imaging, or any physical; osteopathic medicine~~[, or]~~;  
2 any means or method~~[,]~~; or any agent, either tangible or  
3 intangible, ~~[for the treatment of]~~ to diagnose, treat, prescribe  
4 for, palliate, or correct disease, or prevent any human disease,  
5 condition, ailment, pain, injury, deformity, illness, infirmity,  
6 defect, physical or mental condition in the human subject;  
7 provided that ~~[when]~~ the person is a ~~[duly licensed]~~ physician  
8 or osteopathic physician ~~[pronounces a person affected with any~~  
9 ~~disease hopeless and beyond recovery and gives a written~~  
10 ~~certificate to that effect to the person affected or the~~  
11 ~~person's attendant nothing herein shall forbid any person from~~  
12 ~~giving or furnishing any remedial agent or measure when so~~  
13 ~~requested by or on behalf of the affected person.]~~ duly licensed  
14 pursuant to this chapter.

15       This section shall not amend or repeal the law respecting  
16 the treatment of those affected with Hansen's disease.

17       ~~[For purposes of this chapter, "osteopathic medicine" means~~  
18 ~~the utilization of full methods of diagnosis and treatment in~~  
19 ~~physical and mental health and disease, including the~~  
20 ~~prescribing and administration of drugs and biologicals of all~~  
21 ~~kinds, operative surgery, obstetrics, radiological, and other~~



1 ~~electromagnetic emissions, and placing special emphasis on the~~  
2 ~~interrelation of the neuro-musculoskeletal system to all other~~  
3 ~~body systems, and the amelioration of disturbed structure-~~  
4 ~~function relationships by the clinical application of the~~  
5 ~~osteopathic diagnosis and therapeutic skills for the maintenance~~  
6 ~~of health and treatment of disease.] "~~

7 SECTION 3. Statutory material to be repealed is bracketed  
8 and stricken. New statutory material is underscored.

9 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: \_\_\_\_\_

A handwritten signature in black ink, appearing to be "John", written over a horizontal line.

# S.B. NO. 324

**Report Title:**

Practice of Medicine; Medical Physicians; Osteopathic Physicians

**Description:**

Clarifies the definition of the practice of medicine to provide uniformity of practice for both medical physicians and osteopathic physicians.

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