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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 to include 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~~[ ]~~; surgery; manual medicine; water~~[ ]~~;  
16 electricity~~[ ]~~; hypnotism~~[ ]~~; telehealth; the interpretation of  
17 tests, including primary diagnosis of pathology specimens,  
18 medical imaging, or any physical; osteopathic medicine~~[ ]~~;



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

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

15 ~~[For purposes of this chapter, "osteopathic medicine" means~~  
 16 ~~the utilization of full methods of diagnosis and treatment in~~  
 17 ~~physical and mental health and disease, including the~~  
 18 ~~prescribing and administration of drugs and biologicals of all~~  
 19 ~~kinds, operative surgery, obstetrics, radiological, and other~~  
 20 ~~electromagnetic emissions, and placing special emphasis on the~~  
 21 ~~interrelation of the neuro musculoskeletal system to all other~~



1 ~~body systems, and the amelioration of disturbed structure~~  
2 ~~function relationships by the clinical application of the~~  
3 ~~osteopathic diagnosis and therapeutic skills for the maintenance~~  
4 ~~of health and treatment of disease.] "~~

5 SECTION 3. Statutory material to be repealed is bracketed  
6 and stricken. New statutory material is underscored.

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



S.B. NO. 324  
S.D. 1  
H.D. 1  
C.D. 1

**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. (CD1)

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