

JAN 22 2021

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

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



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

3 (3) The services provided by the out-of-state physician
4 are within the out-of-state physician's scope of
5 practice; and

6 (4) At least thirty days prior to an event described in
7 paragraph (1) (A) or (B), the out-of-state physician
8 shall provide written notice to the Hawaii medical
9 board of the nature of the event, the dates of
10 attendance at the event, and the identity of the
11 sports team or teams for which the out-of-state
12 physician intends to provide services.

13 (b) An exemption granted pursuant to subsection (a) shall
14 remain in force while the out-of-state physician is traveling
15 with the sports team for two days prior to the sporting event,
16 the duration of the sporting event, and two days after the
17 sporting event; provided that the exemption shall be valid for
18 no longer than ten days per individual sporting event.

19 (c) Upon prior request by an out-of-state physician, the
20 board may grant the out-of-state physician additional time for
21 the exemption permitted by subsection (a), up to twenty



1 additional days per sporting event. The total number of days an
2 out-of-state physician may be exempt pursuant to this section,
3 including additional time granted upon request, shall not exceed
4 thirty days in a calendar year.

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

7 (1) Provide care or consultation to any person residing in
8 the State, other than a person described in subsection

9 (a); or

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

12 (e) The board may enter into agreements with medical and
13 osteopathic licensing boards of other jurisdictions to implement
14 this section. Agreements may include procedures for reporting
15 potential medical license violations.

16 (f) For purposes of this section:

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

19 "Out-of-state physician" means a physician or osteopathic
20 physician licensed in another state, territory, or jurisdiction
21 of the United States or another country who:



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

3 (2) Engages in the active practice of medicine in the
4 other jurisdiction.

5 "Sports team" means any professional or amateur level group
6 from outside the State organized for the purpose of engaging in
7 athletic events and that employs the services of an out-of-state
8 physician.

9 "Sports team member" means:

10 (1) A member of a sports team;

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

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

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

16 SECTION 2. New statutory material is underscored.

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

18

INTRODUCED BY



S.B. NO. 364

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. Requires out-of-state physicians to provide notice to the Hawaii medical board.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

