

Testimony of the Hawaii Medical Board

**Before the
Senate Committee on Commerce and Consumer Protection
Wednesday, March 15, 2023
10:00 a.m.
Room 229 and via Videoconference**

**On the following measure:
H.B. 884, H.D. 1, RELATING TO TRAVELING TEAM PHYSICIANS**

Chair Keohokalole and Members of the Committee:

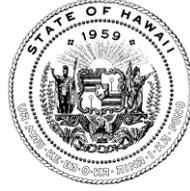
My name is Ahlani Quiogue, and I am the Executive Officer for the Hawaii Medical Board (Board). The Board appreciates the intent of and offers comments on this bill.

The purpose of this bill is to exempt from state licensure requirements out-of-state traveling team physicians who accompany a sports team to Hawaii, under certain conditions.

The Board appreciates the intent of this measure as it provides continuity of care by an out-of-state physician who accompany a sports team to a sporting event in this State. The Board believes this bill is, first and foremost, about the safety of the athlete. A team physician who is on the sidelines to examine athletes' injuries immediately after they occur and to provide the necessary aid is most beneficial for the athletes' well-being. However, the Board seeks clarity regarding what specific organizations are designated as a "national sport governing body" and what facilities are designated as a "national sport training center" in the State.

Further, the Board questions whether an entirely new section needs to be added to Hawaii Revised Statutes (HRS) chapter 453 to address this matter since its statutes, specifically, HRS section 453-2, provide certain exceptions to medical licensing requirements. Therefore, the Board believes that the exceptions or exemptions provided in this bill should be added to HRS section 453-2.

Thank you for the opportunity to testify on this bill.



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Testimony of the Department of Commerce and Consumer Affairs

Before the
Senate Committee on Commerce and Consumer Protection
Wednesday, March 15, 2023
10:00 a.m.

On the following measure:
H.B. 884, H.D.1, RELATING TO TRAVELING TEAM PHYSICIANS

Chair Keohokalole and Members of the Committee:

My name is Esther Brown, and I am the Complaints and Enforcement Officer of the Regulated Industries Complaints Office (RICO), which is an agency within the Department of Commerce and Consumer Affairs. RICO is charged with enforcing the licensing laws of various professional and trade industries in the State through the receipt, investigation and prosecution of, in this case, licensees who fall within the purview of the Hawaii Medical Board. RICO **offers comments** on the measure.

The purpose of this bill is to exempt, from the licensure requirement of Hawaii Revised Statutes chapter 453, out-of-state physicians who accompany a sports team to a sporting event in Hawaii or who are invited by a national sport governing body to provide services to sports team members at a national sport training center or event in Hawaii that is sanctioned by the national sport governing body.

We appreciate the amendment that now requires the physician to notify the Hawaii Medical Board in advance of arrival, as set forth in the HD1, at page 2, lines 5 – 8. The

new language will assist RICO with enforcement. The language is also flexible enough to accommodate physicians who may not know, until the last minute, that they will be traveling to Hawaii under the conditions set forth in proposed section (a)(1) or (a)(2).

We also defer to and support the position of the Hawaii Medical Board with respect to other components of this measure.

Thank you for the opportunity to testify on this bill.

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March 14, 2023

The Honorable Jarrett Keohokalole, Chair
Senate Committee on Commerce and Consumer Protection
Hawai'i State Legislature
415 South Beretania St.
Honolulu, HI 96813

RE: HB 884 Relating to Traveling Team Physicians

Submitted electronically at www.capitol.hawaii.gov

Mr. Chair and members of the Committee,

On behalf of the American Medical Society for Sports Medicine (AMSSM)—representing 4,900 board-certified sports medicine physicians—we respectfully submit this testimony regarding HB 884, relating to traveling team physicians.

Athletes who compete in intercollegiate or professional leagues often travel across state lines to attend tournaments, bowl and exhibition games, and other types of competitions. Ideally, the team physician, along with other healthcare professionals, travel with the athletes. However, despite the passage of federal legislation to address this issue, some state laws—including laws in Hawai'i—remain unclear regarding the out-of-state licensure of traveling team physicians.

HB 884 would clarify state law to allow team physicians licensed in another state to accompany and treat athletes traveling to Hawai'i, without having to obtain a separate license to practice medicine. This temporary status to practice medicine in Hawai'i is limited in three important ways:

- the short duration of time the team will be in Hawai'i for practice or competition;
- the infrequency and special nature of travel (e.g., league games, tournaments, annual rivalries, bowl games, etc.); and
- the fact that the patients are also from out-of-state and attached to the team as an athlete or staff.

It is increasingly important for athletes to have team physicians and other healthcare professionals travel with the team to afford a continuity of care for the traveling athletes. Team physicians bring a knowledge of medical histories, current medical status and treatments, as well as specific medical skills pertaining to sports medicine. Team physicians are focused solely on the care of the

team's athletes and other traveling staff. There is no impact on the power to license or discipline licensees, as Hawai'i retains its authority over physician licensure and the oversight of healthcare professionals. Furthermore, there is no cost or fiscal impact to accommodate traveling team physicians who travel to Hawai'i.

As intercollegiate and professional sports become increasingly popular, as teams travel to venues in every state, AMSSM applauds the Committee for considering HB 884 and we encourage you to consider the benefit of clarifying state law regarding team physicians who travel to Hawai'i.

Thank you for the opportunity to submit this testimony. Please do not hesitate to contact AMSSM if we can answer any questions or be of service to you.

Sincerely yours,

Andrew W. Nichols, MD, FAMSSM
Hawai'i State Key Contact
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