



GOV. MSG. NO. 1203

EXECUTIVE CHAMBERS
KE KE'ENA O KE KIA'ĀINA

JOSH GREEN, M.D.
GOVERNOR
KE KIA'ĀINA

June 22, 2023

The Honorable Ronald D. Kouchi
President of the Senate,
and Members of the Senate
Thirty-Second State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

✓ The Honorable Scott K. Saiki
Speaker, and Members of the
House of Representatives
Thirty-Second State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 22, 2023, the following bill was signed into law:

SB599 SD1 HD2 CD1

RELATING TO HEALTH.
ACT 102

Sincerely,

Josh Green, M.D.
Governor, State of Hawai'i

on JUN 22 2023

THE SENATE
THIRTY-SECOND LEGISLATURE, 2023
STATE OF HAWAII

S.B. NO. 599
S.D. 1
H.D. 2
C.D. 1

A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. Section 453-5.5, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§453-5.5 Physician assistant; authority to sign
4 documents. Any physician assistant who holds a current, valid,
5 and permanent license to practice medicine pursuant to this
6 chapter, and who is under the supervision of a licensed
7 physician or osteopathic physician, shall have the authority to
8 sign the following documents:

- 9 (1) Certification of psychiatric medical condition of the
10 parents of a child applicant for aid from the
11 temporary assistance for needy families program;
- 12 (2) Evaluation forms for Hansen's disease patients;
- 13 (3) Orders for physical therapy and plans of care;
- 14 (4) Pharmacist orders to assist in monitoring and
15 management of anticoagulation anemia and atrial
16 fibrillation;
- 17 (5) Orders for speech therapy and plans of care;



- 1 (6) Applications for bracelets indicating compassionate
- 2 care only;
- 3 (7) Admissions applications for foster homes;
- 4 (8) Dietary consultations forms;
- 5 (9) Medicaid application forms for nursing care facility
- 6 admission; [~~and~~]
- 7 (10) Orders for occupational therapy and plans of care[-];
- 8 and
- 9 (11) Orders for respiratory therapy and plans of care."

10 SECTION 2. Section 466D-1, Hawaii Revised Statutes, is
 11 amended by amending the definitions of "practice of respiratory
 12 care" and "qualified medical direction" to read as follows:

13 ""Practice of respiratory care" means providing assessment,
 14 therapy, management, rehabilitation, support services for
 15 diagnostic evaluation, education, and care for patients with
 16 deficiencies and abnormalities that affect the pulmonary system,
 17 including:

- 18 (1) Respiratory care services, including the
- 19 administration of pharmacological, diagnostic, and
- 20 therapeutic care related to respiratory care
- 21 procedures necessary for treatment, disease



1 prevention, rehabilitative, or diagnostic regimens
2 prescribed by a physician[+] or an osteopathic
3 physician licensed pursuant to chapter 453, a
4 physician assistant licensed pursuant to chapter 453,
5 or an advanced practice registered nurse licensed
6 pursuant to chapter 457;

7 (2) Observation and monitoring of signs, symptoms,
8 reactions, and physical responses to respiratory care
9 treatment and diagnostic testing;

10 (3) Diagnostic or therapeutic use of:

11 (A) Medical gases, excluding general anesthesia;

12 (B) Aerosols, humidification, environmental control
13 systems, or invasive and non-invasive modalities;

14 (C) Pharmacological care related to respiratory care
15 procedures;

16 (D) Mechanical or physiological ventilatory support,
17 including maintenance of natural airways and
18 insertion and maintenance of artificial airways;

19 (E) Cardiopulmonary resuscitation; and



- 1 (F) Respiratory protocol and evaluation or diagnostic
- 2 and testing techniques required for
- 3 implementation of respiratory care protocols; and
- 4 (4) The transcription and implementation of the written,
- 5 verbal, and telecommunicated orders of a licensed
- 6 physician, licensed osteopathic physician, licensed
- 7 physician assistant, or licensed advanced practice
- 8 registered nurse, pertaining to the practice of
- 9 respiratory care.

10 "Qualified [~~medical~~] direction" means ready access by a

11 respiratory therapist to a licensed physician, licensed

12 osteopathic physician, licensed physician assistant, or licensed

13 advanced practice registered nurse, who has specialty training

14 or experience in the management of acute and chronic respiratory

15 disorders and who is responsible for the quality, safety, and

16 appropriateness of the respiratory services provided by the

17 respiratory therapist."

18 SECTION 3. Section 466D-4, Hawaii Revised Statutes, is

19 amended to read as follows:

20 "[~~f~~] §466D-4 [~~]—Physician supervision~~] Order and qualified

21 direction required. No person shall practice respiratory care

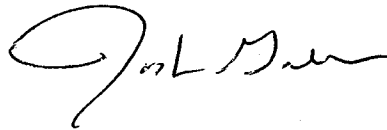


1 under this chapter except under the [~~direct~~] order and qualified
2 [~~medical~~] direction of a physician or an osteopathic physician
3 licensed pursuant to chapter 453[-], a physician assistant
4 licensed pursuant to chapter 453, or an advanced practice
5 registered nurse licensed pursuant to chapter 457."

6 SECTION 4. Statutory material to be repealed is bracketed
7 and stricken. New statutory material is underscored.

8 SECTION 5. This Act shall take effect upon its approval.

APPROVED this 22nd day of June, 2023




GOVERNOR OF THE STATE OF HAWAII

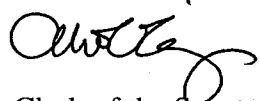


THE SENATE OF THE STATE OF HAWAI'I

Date: May 2, 2023
Honolulu, Hawai'i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate of the Thirty-Second Legislature of the State of Hawai'i, Regular Session of 2023.


President of the Senate


Clerk of the Senate

SB No. 599, SD 1, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2023
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Second Legislature of the State of Hawaii, Regular Session of 2023.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives