

JAN 28 2026

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## A BILL FOR AN ACT

RELATING TO EMERGENCY HEALTHCARE LICENSURE WAIVERS.

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

1 SECTION 1. The legislature finds that Hawaii faces  
2 escalating threats from natural disasters, including wildfires,  
3 hurricanes, flooding, and public health emergencies  
4 necessitating the rapid deployment of healthcare professionals  
5 for medical and behavioral health needs. Past reliance on  
6 gubernatorial proclamations for out-of-state license waivers has  
7 proven effective but has caused delays and hampered coordination  
8 with partners, including the military and the American Red  
9 Cross.

10 The purpose of this Act is to codify streamlined emergency  
11 licensure flexibilities to enable the swift mobilization of  
12 qualified healthcare professionals, thereby enhancing Hawaii's  
13 disaster response capabilities.

14 SECTION 2. Chapter 321, Hawaii Revised Statutes, is  
15 amended by adding a new section to part I to be appropriately  
16 designated and to read as follows:



1       "§321-       Emergency healthcare licensure flexibility.       (a)

2       Notwithstanding any law to the contrary, during a state of

3       emergency or local state of emergency declared by the governor

4       or a county mayor pursuant to chapter 127A, the following

5       professionals may engage in the practice of their respective

6       professions in the State without a Hawaii-issued license,

7       subject to the conditions in this section:

8       (1)       Physicians and osteopathic physicians;

9       (2)       Physician assistants;

10       (3)       Registered nurses, licensed practical nurses, and

11       advanced practice registered nurses, including those

12       with prescriptive authority;

13       (4)       Emergency medical service personnel;

14       (5)       Pharmacists;

15       (6)       Mental health counselors; and

16       (7)       Other healthcare professionals as designated by the

17       department of health in consultation with the

18       department of commerce and consumer affairs.

19       (b)       To qualify to practice under this section, individuals

20       shall:



- 1        (1) Hold a current and active license in good standing in  
2        another state, territory, or the District of Columbia,  
3        or have previously held a license in good standing in  
4        Hawaii that was not revoked or surrendered under  
5        discipline;  
6        (2) Have no history of license revocation, suspension, or  
7        voluntary surrender due to disciplinary action in any  
8        jurisdiction;  
9        (3) Be affiliated with a state or county government  
10       agency, hospital, licensed healthcare facility,  
11       federally qualified health center, or nationally  
12       recognized emergency response organization, including  
13       the American Red Cross, Federal Emergency Management  
14       Agency, or any military medical unit; and  
15       (4) Comply with the scope of practice, standards of care,  
16       and prescribing authority of the person's home  
17       jurisdiction, not exceeding Hawaii's standards.  
18       (c) Telehealth services may be provided by eligible  
19       out-of-state practitioners without requiring an in-person  
20       consultation or existing provider-patient relationship; provided  
21       that the services comply with the provider's home jurisdiction's



1       laws and standards of care, and federal privacy laws. All  
2       patient records shall be transferred to a Hawaii-licensed  
3       provider upon request or during a transition of care.

4       (d)   The department of health shall:

5           (1)   Establish and publicly maintain an online registry of  
6           professionals practicing under this section, including  
7           verification of credentials and affiliation;  
8           (2)   Require self-registration via a secure portal within  
9           twenty-four hours of the deployment in Hawaii of a  
10          professional pursuant to this section, with expedited  
11          department verification within forty-eight hours;  
12          (3)   Coordinate with the department of commerce and  
13          consumer affairs for license checks; and  
14          (4)   Adopt administrative rules under chapter 91 to  
15          implement this section, including reporting on  
16          utilization and outcomes.

17       (e)   Authorization under this section shall expire upon  
18       termination of the emergency declaration or sixty days after  
19       activation, whichever is sooner, unless extended by the  
20       governor. The department of health may immediately revoke



1 authorization for violations, malpractice, or criminal conduct,  
2 with notice to the practitioner's home jurisdiction.

3 (f) No civil liability shall attach to the State,  
4 counties, or facilitating entities for good-faith actions under  
5 this section. Practitioners remain subject to Hawaii  
6 malpractice laws and insurance requirements.

7 (g) The department of health shall submit a report to the  
8 legislature no later than twenty days prior to the convening of  
9 each regular session on program usage, which shall include the  
10 number of professionals authorized to practice, services  
11 provided, recommendations for improvements, and any proposed  
12 legislation."

13 SECTION 3. This Act does not affect rights and duties that  
14 matured, penalties that were incurred, and proceedings that were  
15 begun before its effective date.

16 SECTION 4. New statutory material is underscored.

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

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INTRODUCED BY: Carol Johnson



S.B. NO. 3192

**Report Title:**

DOH; Emergency; Healthcare; Licenses; Waivers; Reports

**Description:**

Authorizes the waiver of certain healthcare worker licensure requirements during emergencies. Requires an annual report to the legislature.

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

