

JAN 21 2026

A BILL FOR AN ACT

RELATING TO SURGICAL ASSISTANTS.

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

1 SECTION 1. The Hawaii Revised Statutes is amended by
2 adding a new chapter to be appropriately designated and to read
3 as follows:

4 **"CHAPTER**

5 **SURGICAL ASSISTANTS**

6 **§ -1 Definitions.** As used in this chapter:

7 "Board" means the Hawaii medical board.

8 "Direct supervision" means supervision by a supervising
9 physician or supervising podiatrist who:

10 (1) Is physically present;

11 (2) Personally directs the acts delegated to a surgical
12 assistant; and

13 (3) Remains immediately available to personally respond to
14 any emergency until the patient is released from the
15 operating room or care and has been transferred to the
16 care and responsibility of another physician,
17 osteopathic physician, or podiatrist.



"Practice of medicine" has the same meaning as defined in section 453-1.

"Practice of podiatric medicine" has the same meaning as defined in section 463E-1.

"Surgical assistance" means the provision of aid under direct supervision in exposure, hemostasis, closures, and other intraoperative technical functions that assist a physician, osteopathic physician, or podiatrist in performing a safe operation with optimal results for the patient.

"Surgical assistant" means an individual providing surgical assistance.

"Supervising physician" means a physician or osteopathic physician licensed under chapter 453, other than a person licensed under section 453-3, who assumes responsibility for the services rendered by a surgical assistant.

"Supervising podiatrist" means a podiatrist licensed under chapter 463E who assumes responsibility for the services rendered by a surgical assistant.

§ -2 Surgical assistant; license required; exceptions.

(a) Except as provided in subsection (n), the Hawaii medical board shall require each person practicing medicine or podiatric



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1 medicine as a surgical assistant in the State to be licensed as
2 a surgical assistant.

3 (b) The board shall establish medical educational and
4 training standards with which a person applying for licensure as
5 a surgical assistant shall comply. The standards shall be at
6 least equal to recognized national education and training
7 standards for surgical assistants.

8 (c) Upon satisfactory proof of compliance with the
9 required medical educational and training standards, the board
10 may grant state licensure to a person who has been granted
11 certification based upon passage of a national certifying
12 examination and who holds a current certificate from the
13 national certifying entity approved by the board.

14 (d) The board shall approve temporary licensure of an
15 applicant under this section. The applicant shall have
16 graduated from a board-approved training program within twelve
17 months of the date of application and never taken a national
18 certifying examination approved by the board but otherwise meets
19 the requirements of this section. The applicant shall file a
20 complete application with the board and pay all required fees.
21 If the applicant fails to apply for, or to take, the first



1 examination scheduled by the board following the issuance of the
2 temporary license, fails to pass the examination, or fails to
3 receive licensure, all privileges under this section shall
4 automatically cease upon written notification sent to the
5 applicant by the board. A temporary license shall be issued
6 only once to each person.

7 (e) Before practicing as a surgical assistant under
8 temporary licensure, the temporary license holder shall notify
9 the board in writing of any and all supervising physicians or
10 supervising podiatrists under whom the temporary license holder
11 will be performing services.

12 (f) The board may issue a license by endorsement to a
13 surgical assistant if:

14 (1) The applicant:

15 (A) Files an application and pays fees as prescribed
16 by the board;

17 (B) Holds a current, unencumbered, active license as
18 a surgical assistant in a jurisdiction that
19 requires qualifications substantially equivalent
20 to or greater than the qualifications for



1 licensure in the State as determined by the
2 board; and

3 (C) Submits proof satisfactory to the board that the
4 applicant has actively practiced medicine or
5 podiatric medicine as a surgical assistant in
6 another jurisdiction for at least two of the
7 immediately preceding five years; and

8 (2) The board determines that no disciplinary action has
9 been taken by any medical licensing authority and the
10 applicant has not been the subject of adverse
11 judgments or settlements resulting from the practice
12 of medicine or podiatric medicine that the board
13 determines constitutes evidence of a pattern of
14 negligence or incompetence.

15 The board may require an applicant seeking licensure by
16 endorsement to satisfy additional requirements, including taking
17 and passing certain national examinations to assist the board in
18 determining the applicant's ability to safely and competently
19 engage in the practice of medicine or podiatric medicine as a
20 surgical assistant.



1 (g) No applicant shall be examined for licensure under
2 this section until the applicant has paid application,
3 examination, and license fees to the board. The board may
4 provide separate fees for licensure by endorsement and for
5 limited and temporary licenses.

6 (h) The board shall establish the degree of supervision
7 required by the supervising physician or supervising podiatrist
8 when a surgical assistant performs a service within the practice
9 of medicine or podiatric medicine. A supervising physician or
10 supervising podiatrist who does not supervise a surgical
11 assistant's services to the degree required by the board shall
12 be deemed to have engaged in professional misconduct.

13 (i) Every person holding a license under this section
14 shall apply for renewal with the board no later than January 31
15 of each even-numbered year and pay a renewal fee. Failure to
16 apply for renewal shall constitute a forfeiture of the license
17 that shall only be restored upon written application for
18 restoration and payment of a restoration fee to the board.

19 (j) Beginning with the renewal for the licensing biennium
20 commencing February 1, 2028, and every biennial renewal
21 thereafter, a surgical assistant shall be in compliance with



1 continuing medical education requirements established by the
2 board. To determine compliance with the continuing medical
3 education requirements, the board may conduct random audits of
4 surgical assistants' continuing education documentation. The
5 board shall provide notice to a surgical assistant selected for
6 audit. Within sixty days of notification, the surgical
7 assistant shall provide the board with documentation to verify
8 compliance with the continuing medical education requirements.

9 (k) Failure to renew, pay the renewal fee, and, in the
10 case of an audited surgical assistant, provide documentation of
11 compliance with the continuing medical education requirements
12 under subsection (j), shall constitute a forfeiture of license,
13 which may be restored upon the submission of written application
14 for restoration payment of a restoration fee to the board, and,
15 in the case of an audited surgical assistant, documentation of
16 compliance with the continuing medical education requirements
17 pursuant to subsection (j).

18 (l) A license that has been forfeited for one renewal term
19 shall be automatically terminated and cannot be restored. A new
20 application for licensure shall be required.



1 (m) A physician, osteopathic physician, podiatrist,
2 physician assistant, surgical assistant, or any person usually
3 present in an operating room, including a nurse, shall report to
4 the board any relevant information related to the acts of a
5 surgical assistant licensed pursuant to this section if, in that
6 person's opinion, the surgical assistant's action:

7 (1) Has violated one or more provisions of this chapter;

8 (2) Constitutes a basis for revocation, limitation, or
9 suspension of a license pursuant to section 453-8(a)
10 or 463E-6(a), as appropriate; or

11 (3) Poses a continuing threat to the public welfare
12 through practice as a surgical assistant.

13 Any person who in good faith makes a report, including
14 furnishing records, information, or assistance, to the board
15 pursuant to this subsection shall not be liable for any damages
16 in any civil action based on the communication. The immunity
17 afforded by this subsection shall be in addition to any immunity
18 afforded by sections 453-8 and 663-1.7, if applicable, and shall
19 not be construed to affect the availability of any absolute
20 privilege under sections 663-1.7 and 671D-10.



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(n) A person may practice medicine or podiatric medicine as a surgical assistant without a license if the person is:

(1) A student who is enrolled in a surgical assistant education program approved by the board and is assisting in a surgical operation that is an integral part of the program of study;

(2) A surgical assistant employed in the service of the federal government while performing surgical assisting duties related to that employment;

(3) A health care worker, licensed or certified within the State, acting within the scope of the person's license;

(4) An advanced practice registered nurse, a registered nurse, or a licensed practical nurse licensed under chapter 457;

(5) A physician assistant licensed under section 453-5.3; or

(6) An individual employed by a hospital who is performing the duties of a surgical assistant under the direct supervision of an advanced practice registered nurse or registered nurse.



(o) Except as otherwise provided by law, no person shall:

(1) Practice or offer to practice medicine or podiatric medicine as a surgical assistant in the State, either gratuitously or for pay;

(2) Advertise or announce one's self, either publicly or privately, as prepared or qualified to practice medicine or podiatric medicine as a surgical assistant in the State; or

(3) Use the title "surgical assistant", "certified surgical assistant", or "certified first surgical assistant" or append the letters "CSA" or "CFSA" to one's name or use any other terms or letters indicating or implying that the individual is practicing medicine or podiatric medicine as a surgical assistant,

without having a valid unrevoked license obtained from the board, as prescribed in this chapter.

(p) The board shall establish by rule the application procedure, medical educational and training standards, examination requirements, if any, for surgical assistant licensure, and degrees of supervision for surgical assistants.



1 § -3 **Revocation, limitation, suspension, or denial of**
2 **licenses.** In addition to any other actions authorized by law,
3 any license to practice medicine or podiatric medicine as a
4 surgical assistant may be denied, not renewed, revoked, limited,
5 or suspended by the board pursuant to section 453-8 for surgical
6 assistants practicing medicine or section 463E-6 for surgical
7 assistants practicing podiatric medicine.

8 § -4 **Disciplinary actions.** In addition to any other
9 actions authorized by law, the board may take disciplinary
10 actions against a licensee pursuant to sections 453-8.2,
11 453-8.4, or 453-8.6.

12 § -5 **Witnesses in proceedings; recalcitrant witnesses;**
13 **contempt.** (a) In any proceeding the board may subpoena,
14 administer oaths to, and examine witnesses on any relevant
15 matter in the proceeding. The board may subpoena physicians,
16 osteopathic physicians, surgeons, or podiatrists as specialists,
17 on the recommendation of the appropriate specialist society.
18 The board may order a mental, physical, or medical competency
19 examination to determine the capacity or ability of a licensee
20 to continue to practice medicine or surgery, or podiatric
21 medicine, as a surgical assistant and order appropriate



1 specialist societies to conduct examinations. The person whose
2 license is sought in the proceeding to be revoked, limited, or
3 suspended shall be entitled to require the board or any member
4 of the board to subpoena and to administer oaths to any witness
5 who may be able to present evidence relevant in the proceeding,
6 and shall be entitled to examine any witness in the proceeding.
7 The circuit court of the circuit in which the proceeding is held
8 may enforce by proper proceeding the attendance and testimony of
9 witnesses in the proceeding.

10 (b) If any person called before the board as a witness in
11 any proceeding, whether under subpoena or otherwise, except as
12 privileged by law, refuses to answer any question which is
13 relevant to the proceeding and is put to the person by the
14 board, a member of the board, or the person whose license is
15 sought to be revoked, limited, or suspended in the proceeding,
16 or disobeys any order of the circuit court relating to the
17 proceeding, the board shall report the matter in writing to any
18 judge of the circuit court of the circuit in which the
19 proceeding is held and the person shall be cited to appear
20 before the circuit judge to show cause why the person should not
21 be punished for contempt of court under section 710-1077.



1 § -6 **Perjury.** Any person who wilfully and knowingly
2 makes under oath any false statement in connection with any
3 proceeding before the board shall be guilty of perjury and shall
4 be subject to the penalty prescribed by law for perjury.

5 Whenever the board is satisfied that the witness has committed
6 perjury in any proceeding before the board, it shall report the
7 same to the prosecuting officer of the county in which the
8 perjury took place, who shall prosecute the witness for perjury.

9 § -7 **Penalty.** Any person who violates this chapter, or
10 who offers or in any way attempts to engage in the practice of
11 medicine or podiatric medicine as a surgical assistant and fails
12 to comply with any of the requirements or provisions of this
13 chapter, penalty for which violation or failure to comply is not
14 otherwise provided for, shall be fined not more than \$500 or
15 imprisoned not more than six months and each day's violation or
16 failure to comply shall be deemed a separate offense.

17 § -8 **Surgical assistant advisory committee.** (a) There
18 is established a surgical assistant advisory committee under the
19 Hawaii medical board to serve in an advisory capacity to the
20 board as to matters relating to the regulation of surgical
21 assistants in the State. The committee shall review all



1 complaints and requests relating to surgical assistants, and
2 review and recommend revisions of the surgical assistant
3 regulations.

4 (b) The committee shall consist of the following six
5 members, who shall be appointed by the board:

6 (1) Three practicing surgical assistants who have at least
7 five years of clinical experience as surgical
8 assistants;

9 (2) Two physicians or osteopathic physicians licensed
10 under chapter 453, other than a person licensed under
11 section 453-3, or podiatrists licensed under chapter
12 463E, who supervise surgical assistants; and

13 (3) One advanced practice registered nurse or registered
14 nurse licensed under chapter 457 with at least five
15 years of clinical experience as a certified
16 perioperative nurse.

17 (c) Each member shall serve for a term of two years;
18 provided that the board shall initially appoint three members to
19 serve for a term of one year to ensure staggered rotation of
20 members. No member shall serve for more than two consecutive
21 two-year terms.



1 (d) The chairperson of the board shall designate
2 biennially a chairperson of the committee from among the members
3 of the committee. The chairperson of the committee shall serve
4 at the pleasure of the chairperson of the board.

5 (e) The committee shall hold regular quarterly meetings
6 that may be held in person or via interactive conference
7 technology, including teleconference, videoconference, and voice
8 over internet protocol.

9 (f) A vacancy on the committee shall be filled by
10 appointment of the chairperson of the board for the remainder of
11 the unexpired term.

12 (g) No person shall be appointed as a member of the
13 committee if:

14 (1) The person is an officer, employee, or paid consultant
15 of a trade association in the State in the field of
16 surgical assisting;

17 (2) The person's spouse is an officer, manager, or paid
18 consultant of a trade association in the State in the
19 field of surgical assisting;



(3) The person is a registered lobbyist for compensation on behalf of a profession related to the field of surgical assisting; or

(4) The person is presently subject to a disciplinary order issued by the person's licensing or certifying body."

§ -9 Rules. The Hawaii medical board shall adopt rules in accordance with chapter 91 for the administration of this chapter.

SECTION 2. Section 321-2.5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) This section shall apply to all volunteer medical assistance personnel, including:

- (1) Physicians;
- (2) Psychologists;
- (3) Nurses;
- (4) Emergency medical technicians;
- (5) Social workers;
- (6) Mobile intensive care technicians;
- (7) Physician assistants; ~~and~~
- (8) Pharmacists~~[7]~~; and



1 (9) Surgical assistants practicing medicine under the
2 supervision of a physician or osteopathic physician,
3 licensed or certified in this State, or employed by a health
4 care facility, while providing volunteer medical assistance
5 services."

6 SECTION 3. Section 321-23.3, Hawaii Revised Statutes, is
7 amended by amending subsection (a) to read as follows:

8 "(a) All volunteer emergency medical disaster response
9 personnel including:

10 (1) Physicians;

11 (2) Psychologists;

12 (3) Nurses;

13 (4) Emergency medical technicians;

14 (5) Social workers;

15 (6) Mobile intensive care technicians;

16 (7) Physician assistants; ~~and~~

17 (8) Pharmacists~~[7]~~; and

18 (9) Surgical assistants practicing medicine under the
19 supervision of a physician or osteopathic physician,
20 licensed in the State, or employed by a health care facility,
21 while engaged in the emergency response to a mass casualty event



1 or disaster condition, including participation during periods of
2 mass casualty and disaster management training, shall be deemed
3 state employees or county employees, as the case may be, and
4 shall have the powers, duties, rights, and privileges of such in
5 the performance of their duties as prescribed by or under the
6 authority of the governor or a county."

7 SECTION 4. Section 346-53.64, Hawaii Revised Statutes, is
8 amended by amending subsection (a) to read as follows:

9 "(a) Services eligible for prospective payment system
10 reimbursement are those services that are furnished by a
11 federally qualified health center or rural health clinic that
12 are:

13 (1) Within the legal authority of a federally qualified
14 health center to deliver, as defined in section 1905
15 of the Social Security Act;

16 (2) Actually provided by the federally qualified health
17 center, either directly or under arrangements;

18 (3) Covered benefits under the medicaid program, as
19 defined in section 4231 of the State Medicaid Manual
20 and the Hawaii medicaid state plan;



- 1 (4) Provided to a recipient eligible for medicaid
2 benefits;
- 3 (5) Delivered exclusively by health care professionals,
4 including physicians, physician's assistants, surgical
5 assistants, nurse practitioners, nurse midwives,
6 clinical social workers, clinical psychologists, and
7 other persons acting within the lawful scope of their
8 license or certificate to provide services;
- 9 (6) Provided at the federally qualified health center's
10 practice site, a hospital emergency room, in an
11 inpatient setting, at the patient's place of
12 residence, including long term care facilities, or at
13 another medical facility; and
- 14 (7) Within the scope of services provided by the State
15 under its fee-for-service medicaid program and its
16 medicaid managed care program, on and after August
17 1994, and as amended from time to time."

18 SECTION 5. Section 436B-14.7, Hawaii Revised Statutes, is
19 amended by amending subsection (a) to read as follows:

20 "(a) Notwithstanding any other law to the contrary, a
21 person who is married to an active duty member of the armed



1 forces of the United States shall be approved for temporary
2 licensure if the person:

3 (1) Is accompanying the member on an official permanent
4 change of station to a military installation located
5 in this State;

6 (2) Either holds a license in another jurisdiction of the
7 United States:

8 (A) As an acupuncturist, behavior analyst, dentist,
9 dispensing optician, hearing aid dealer and
10 fitter, marriage and family therapist, mental
11 health counselor, certified nurse aide, licensed
12 practical nurse, registered nurse, nursing home
13 administrator, occupational therapist,
14 optometrist, pharmacist, naturopathic physician,
15 osteopathic physician, physician, physician
16 assistant, podiatrist, psychologist, respiratory
17 therapist, social worker, surgical assistant,
18 speech pathologist, audiologist, or veterinary
19 technician; or

20 (B) Is in a profession or vocation not included in
21 subparagraph (A) for which the licensing



- 1 authority of this State has determined that the
2 licensure requirements of the other jurisdiction
3 are equivalent to or exceed those of this State;
- 4 (3) Has been licensed or certified by another jurisdiction
5 of the United States for at least one year, and the
6 license or certification is current, active, and in
7 good standing without conditions or restrictions in
8 all jurisdictions in which the person holds a license
9 or certification;
- 10 (4) Has met minimum education requirements and applicable
11 work experience and clinical supervision requirements
12 when licensed or certified by another jurisdiction,
13 and the other jurisdiction verifies that the person
14 met those requirements to become licensed or certified
15 in that jurisdiction;
- 16 (5) Has passed the examination requirements for the
17 license or certification, if required by the licensing
18 authority of this State or another jurisdiction;
- 19 (6) Has not had a license or certificate limited,
20 suspended, or revoked and has not voluntarily
21 surrendered a license or certificate in another



1 jurisdiction while under investigation for licensing
2 violations;

3 (7) Has not had an application for licensure denied, been
4 censured, or had discipline imposed by another
5 licensing authority; provided that if another
6 jurisdiction has taken disciplinary action against the
7 person, the licensing authority of this State shall
8 determine if all terms and conditions of the
9 discipline, if any, are satisfied and the matter
10 resolved; provided further that if the terms and
11 conditions of discipline have not been satisfied in
12 that jurisdiction, the licensing authority may deny or
13 refuse to issue a license applied for under this
14 section until the terms and conditions of discipline
15 are satisfied;

16 (8) Has not surrendered membership on any professional
17 staff in any professional association, society, or
18 faculty while under investigation or to avoid adverse
19 action for acts or conduct that would constitute
20 grounds for disciplinary action in this State;

21 (9) Pays all applicable fees;



- 1 (10) Does not have a disqualifying criminal history as
2 determined by the licensing authority; and
- 3 (11) Submits with the application a signed affidavit
4 stating that the application information, including
5 evidence of requisite education, exam, and experience;
6 prior employment; and criminal history record check,
7 is true and accurate; provided that, upon receiving
8 the affidavit, if the licensing authority issues the
9 license to the person, the licensing authority may
10 revoke the license at any time if the information
11 provided in the application is found to be false or if
12 the person fails to maintain the conditions of initial
13 licensure."

14 SECTION 6. Section 451D-5, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "~~{}~~§451D-5~~{}~~ **Filing of electronic mail address.** Every
17 individual applying for or renewing a license as a physician
18 under chapter 453, osteopathic physician under chapter 453,
19 physician assistant under chapter 453, advanced practice
20 registered nurse under chapter 457, surgical assistant under
21 chapter _____, or naturopathic physician under chapter 455 shall,



1 at the time of applying for licensure or renewal, provide the
2 licensing authority with a current electronic mail address in
3 the form and manner prescribed by the licensing authority;
4 provided that an applicant or licensee has an established
5 electronic mail address. It shall be the licensee's duty to
6 provide notice to the licensing authority of any change of
7 current electronic mail address within thirty days of the
8 change. The electronic mail addresses may be shared by the
9 licensing authority only with other state or federal agencies,
10 upon request, for purposes of public health and safety and may
11 be used by the licensing authority for any purpose related to
12 the license. Nothing herein shall be construed to modify the
13 method by which the licensing authority provides notice of any
14 matter required by law to be provided to the applicant or
15 licensee."

16 SECTION 7. Section 453-8, Hawaii Revised Statutes, is
17 amended by amending subsection (e) to read as follows:

18 "(e) Any person licensed by the board, including a
19 physician, surgeon, ~~[or]~~ physician assistant, or surgical
20 assistant, who provides information to the board indicating that
21 a board licensee may be guilty of unprofessional conduct or may



1 be impaired because of drug or alcohol abuse or mental illness
2 shall not be liable for any damages in any civil action based on
3 the communication. The immunity afforded by this section shall
4 be in addition to any immunity afforded by section 663-1.7, if
5 applicable, and shall not be construed to affect the
6 availability of any absolute privilege under sections 663-1.7
7 and 671D-10."

8 SECTION 8. Section 453-14, Hawaii Revised Statutes, is
9 amended by amending subsection (a) to read as follows:

10 "(a) Every physician, osteopathic physician, physician
11 assistant, ~~[and]~~ surgeon, and surgical assistant attending or
12 treating a case of knife wound, bullet wound, gunshot wound,
13 powder burn, or any injury that would seriously maim, produce
14 death, or has rendered the injured person unconscious, caused by
15 the use of violence or sustained in a suspicious or unusual
16 manner or in motor vehicle collisions resulting in serious
17 injury or death, or, whenever the case is treated in a hospital,
18 clinic, or other institution, the manager, superintendent, or
19 person in charge thereof, shall report the case or provide
20 requested information to the chief of police of the county
21 within which the person was attended or treated, giving the name



1 of the injured person, description of the nature, type, and
2 extent of the injury, together with other pertinent information
3 that may be of use to the chief of police. [~~As used herein,~~
4 For the purposes of this subsection, the term "chief of police"
5 means the chief of police of each county and any of the chief's
6 authorized subordinates."

7 SECTION 9. Section 453-16, Hawaii Revised Statutes, is
8 amended as follows:

9 1. By amending subsection (a) to read:

10 "(a) A licensed physician or surgeon or licensed
11 osteopathic physician and surgeon may provide abortion care. A
12 licensed surgical assistant may provide surgical assistance to a
13 licensed physician or surgeon or licensed osteopathic physician
14 and surgeon in the provision of abortion care. A licensed
15 physician assistant may provide medication or aspiration
16 abortion care in the first trimester of pregnancy."

17 2. By amending subsection (d) to read:

18 "(d) For purposes of this section:

19 "Abortion" means an intentional termination of the
20 pregnancy of a nonviable fetus.



1 "Nonviable fetus" means a fetus that does not have a
2 reasonable likelihood of sustained survival outside of the
3 uterus.

4 "Surgical assistance" has the same meaning as defined in
5 section -1.

6 "Surgical assistant" has the same meaning as defined in
7 section -1; provided that "surgical assistant" does not
8 include individuals providing surgical assistance in the
9 practice of podiatric medicine."

10 SECTION 10. Section 663-1.5, Hawaii Revised Statutes, is
11 amended as follows:

12 1. By amending subsection (c) to read:

13 "(c) Any physician, ~~[or]~~ physician assistant, or surgical
14 assistant licensed to practice under the laws of this State or
15 any other state who in good faith renders emergency medical care
16 in a hospital to a person, who is in immediate danger of loss of
17 life, without remuneration or expectation of remuneration, shall
18 not be liable for any civil damages, if the physician, ~~[or]~~
19 physician assistant, or surgical assistant exercises that
20 standard of care expected of similar physicians, ~~[or]~~ physician
21 assistants, or surgical assistants under similar circumstances.



Any physician who supervises a physician assistant providing emergency medical care pursuant to this section shall not be required to meet the requirements set forth in chapter 453 regarding supervising physicians."

2. By amending subsection (f) to read:

"(f) Any physician, ~~or~~ physician assistant, or surgical assistant who administers an automated external defibrillator program without remuneration or expectation of remuneration shall not be liable for any civil damages resulting from any act or omission involving the use of an automated external defibrillator, except as may result from the physician's, ~~or~~ physician assistant's, or surgical assistant's gross negligence or wanton acts or omissions."

3. By amending subsections (h) and (i) to read:

"(h) This section shall not relieve any person, physician, physician assistant, surgical assistant, or employer of:

- (1) Any other duty imposed by law regarding the designation and training of persons or employees;
- (2) Any other duty imposed by provisions regarding the maintenance of equipment to be used for resuscitation;
- or



(3) Liability for any damages resulting from gross negligence, or wanton acts or omissions.

(i) For the purposes of this section:

"Automated external defibrillator program" means an appropriate training course that includes cardiopulmonary resuscitation and proficiency in the use of an automated external defibrillator.

"Good faith" includes but is not limited to a reasonable opinion that the immediacy of the situation is such that the rendering of care should not be postponed.

"Rescue team" means a special group of physicians, basic life support personnel, advanced life support personnel, surgeons, nurses, volunteers, or employees of the owners or operators of the hospital or authorized emergency vehicle who have been trained in basic or advanced life support and have been designated by the owners or operators of the hospital or authorized emergency vehicle to attempt to provide such support and resuscitate persons who are in immediate danger of loss of life in cases of emergency.

"Rescue tube" means a flotation device used for water rescues that helps support the victim's and rescuer's weight.



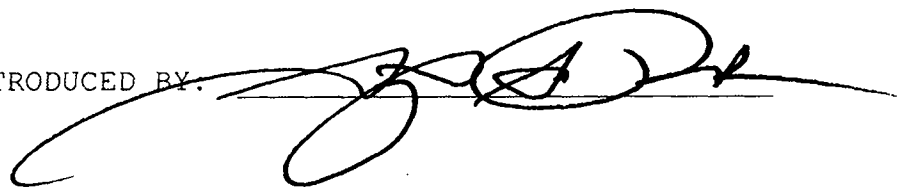
1 "Surgical assistant" has the same meaning as defined in
2 section -1; provided that "surgical assistant" does not
3 include an individual providing surgical assistance in the
4 practice of podiatric medicine."

5 SECTION 11. Section 671-1, Hawaii Revised Statutes, is
6 amended by amending the definition of "health care provider" to
7 read as follows:

8 ""Health care provider" means a physician, osteopathic
9 physician, surgeon, or physician assistant licensed under
10 chapter 453, a podiatrist licensed under chapter 463E, a
11 surgical assistant licensed under chapter , a health care
12 facility as defined in section 323D-2, and the employees of any
13 of them. Health care provider shall not mean any nursing
14 institution or nursing service conducted by and for those who
15 rely upon treatment by spiritual means through prayer alone, or
16 employees of the institution or service."

17 SECTION 12. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 13. This Act shall take effect upon its approval.

20
INTRODUCED BY. 



S.B. NO. 2216

Report Title:

Hawaii Medical Board; Surgical Assistant; License; Requirement; Exception; Surgical Assistant Advisory Committee; Establishment; Medicaid Reimbursement

Description:

Requires the Hawaii Medical Board to require each person practicing medicine or podiatric medicine as a surgical assistant in the State to be licensed as a surgical assistant. Establishes exceptions. Requires the Hawaii Medical Board by rule to establish the application procedure, medical educational and training standards, examination requirements, if any, for surgical assistant licensure and degrees of supervision for surgical assistants. Establishes the Surgical Assistant Advisory Committee. Expands the services eligible for Medicaid Prospective Payment System reimbursement to include certain services furnished by a federally qualified health center or rural health clinic and provided by surgical assistants.

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

