

JAN 21 2026

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## 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.



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

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

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

10       "Surgical assistant" means an individual providing surgical  
11       assistance.

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

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

19       **§ -2 Surgical assistant; license required; exceptions.**

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

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

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.

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.

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.

1 (n) A person may practice medicine or podiatric medicine  
2 as a surgical assistant without a license if the person is:  
3 (1) A student who is enrolled in a surgical assistant  
4 education program approved by the board and is  
5 assisting in a surgical operation that is an integral  
6 part of the program of study;  
7 (2) A surgical assistant employed in the service of the  
8 federal government while performing surgical assisting  
9 duties related to that employment;  
10 (3) A health care worker, licensed or certified within the  
11 State, acting within the scope of the person's  
12 license;  
13 (4) An advanced practice registered nurse, a registered  
14 nurse, or a licensed practical nurse licensed under  
15 chapter 457;  
16 (5) A physician assistant licensed under section 453-5.3;  
17 or  
18 (6) An individual employed by a hospital who is performing  
19 the duties of a surgical assistant under the direct  
20 supervision of an advanced practice registered nurse  
21 or registered nurse.



- 1 (o) Except as otherwise provided by law, no person shall
- 2 (1) Practice or offer to practice medicine or podiatric
- 3 medicine as a surgical assistant in the State, either
- 4 gratuitously or for pay;
- 5 (2) Advertise or announce one's self, either publicly or
- 6 privately, as prepared or qualified to practice
- 7 medicine or podiatric medicine as a surgical assistant
- 8 in the State; or
- 9 (3) Use the title "surgical assistant", "certified
- 10 surgical assistant", or "certified first surgical
- 11 assistant" or append the letters "CSA" or "CFSA" to
- 12 one's name or use any other terms or letters
- 13 indicating or implying that the individual is
- 14 practicing medicine or podiatric medicine as a
- 15 surgical assistant,
- 16 without having a valid unrevoked license obtained from the
- 17 board, as prescribed in this chapter.
- 18 (p) The board shall establish by rule the application
- 19 procedure, medical educational and training standards,
- 20 examination requirements, if any, for surgical assistant
- 21 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;

7        **§ -9 Rules.** The Hawaii medical board shall adopt rules  
8        in accordance with chapter 91 for the administration of this  
9        chapter.

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

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

- 14 (1) Physicians;
- 15 (2) Psychologists;
- 16 (3) Nurses;
- 17 (4) Emergency medical technicians;
- 18 (5) Social workers;
- 19 (6) Mobile intensive care technicians;
- 20 (7) Physician assistants; [and]
- 21 (8) Pharmacists[~~r~~]; 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;

**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

authority of this State has determined that the licensure requirements of the other jurisdiction are equivalent to or exceed those of this State;

- (3) Has been licensed or certified by another jurisdiction of the United States for at least one year, and the license or certification is current, active, and in good standing without conditions or restrictions in all jurisdictions in which the person holds a license or certification;
- (4) Has met minimum education requirements and applicable work experience and clinical supervision requirements when licensed or certified by another jurisdiction, and the other jurisdiction verifies that the person met those requirements to become licensed or certified in that jurisdiction;
- (5) Has passed the examination requirements for the license or certification, if required by the licensing authority of this State or another jurisdiction;
- (6) Has not had a license or certificate limited, suspended, or revoked and has not voluntarily 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.

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

5 2. By amending subsection (f) to read:

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

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

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

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



3 (i) For the purposes of this section:

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

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

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

20 "Rescue tube" means a flotation device used for water  
21 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. 2276

**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.*

