

STAND. COM. REP. NO. **2558**

Honolulu, Hawaii

FEB 20 2026

RE: S.B. No. 2491
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir:

Your Committees on Health and Human Services and Commerce and Consumer Protection, to which was referred S.B. No. 2491 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish a broad definition of "qualified health care provider" in numerous areas of existing law;
- (2) Clarify and standardize references to specific health care providers;
- (3) Update outdated language to reflect correct terminology;
- (4) Make numerous clarifying and conforming amendments to support these changes, including but not limited to chapters related to health, education, insurance, professions and vocations, the Pain Patient's Bill of Rights, the Uniform Probate Code, minors, the Child Protective Act, and the Penal Code; and
- (5) Repeal the obsolete Hawaii Health Corps.

Your Committees received testimony in support of this measure from the Board of Nursing, Hawai'i State Center for Nursing,



Department of Health, Department of Education, University of Hawai'i System, Hawaii Affiliate of the American College of Nurse Midwives, Hawai'i Association of Professional Nurses, Hawai'i Psychological Association, Hawaii Academy of Family Physicians, Hawaii Medical Association, Hawaii Pharmacists Association, American Association of Nurse Practitioners, Hawai'i Academy of Physician Assistants, and ten individuals.

Your Committees received comments on this measure from the Department of the Attorney General; Department of Human Services; Insurance Division of the Department of Commerce and Consumer Affairs; Department of Labor and Industrial Relations; Board of Naturopathic Medicine; Board of Physical Therapy; Board of Psychology; Hawaii Medical Board; Board of Pharmacy; Hawai'i Association of Nurse Anesthesiology; Kneé Regulatory Research Center at West Virginia University; Kaiona Counseling, LLC; Alliance for Genomic Justice; and fifty-four individuals.

Your Committees find that in 2022, the Hawaii State Center for Nursing convened the Healthcare Provider Barriers to Practice Law Review Task Group, an interprofessional group, including advanced practice registered nurses, physician assistants, psychologists, pharmacists, and physicians, to review health care-related provisions of the Hawaii Revised Statutes as compared to each profession's scope of practice established in state law. The task group met between 2022 and 2024 and found widespread inconsistencies in statutory terminology related to health care providers. Your Committees further find that the task group identified numerous areas of statute with restrictive language that prevent licensed health care providers from engaging in services they are qualified and trained to provide, as defined in the practice acts of each respective profession. This measure modernizes statutory terminology to ensure that appropriately licensed providers can act in accordance with their training and statutory authority without requiring repeated, profession-specific amendments to specific laws.

Your Committees have amended this measure by:

- (1) Clarifying that "qualified health care provider" means any person with a current, active license or certification issued under title 19 or title 25, Hawaii Revised Statutes (HRS), whose scope of practice, as



defined by any applicable law and rules adopted thereunder, authorizes the person to provide health care services;

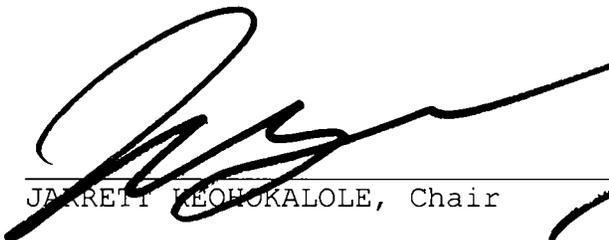
- (2) Deleting language that would have amended section 378-32(b), HRS, to replace "physician" with the term "qualified health care provider" and inserting language that repeals section 378-32(b), Hawaii Revised Statutes, in part V;
- (3) Deleting language to clarify that the term "wholesale distributor" under section 328-112, HRS, includes practitioners, rather than other practitioners, engaged in wholesale distribution of prescription drugs and inserting language to define "practitioners";
- (4) Deleting language that would have included physician assistant under section 451K-5(c), HRS;
- (5) Clarifying that the definition of "anesthetist" under section 431:10C-103, HRS, means an advanced practice registered nurse licensed pursuant to chapter 457, HRS, who maintains national certification as a Certified Registered Nurse Anesthetist and who performs anesthesia services;
- (6) Amending section 432E-1.4, HRS, to include advanced practice registered nurses to the list of health care providers that may recommend if a health intervention is medically necessary;
- (7) Inserting an effective date of January 30, 2050, to encourage further discussion;
- (8) Inserting an implementation date of July 1, 2028; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Human Services and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2491, as amended



herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2491, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Health and Human
Services and Commerce and
Consumer Protection,



JARRETT KEOHOKALOLE, Chair



JOY A. SAN BUENAVENTURA, Chair



The Senate
Thirty-Third Legislature
State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:* SB 2491	Committee Referral: HHS/CPN, JDC/WAM	Date: 2/6/2026
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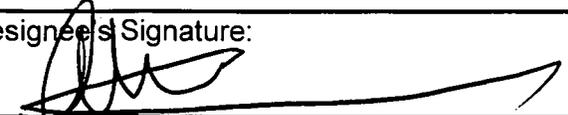
The Committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
MCKELVEY, Angus L.K. (VC)	✓			
KANUHA, Dru Mamo	✓			
KEOHOKALOLE, Jarrett	✓			
FEVELLA, Kurt				✓
TOTAL	4	0	0	1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes

