

ACT 71

S.B. NO. 450

A Bill for an Act Relating to Osteopathy.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 460-1, Hawaii Revised Statutes, is amended to read as follows:

**“§460-1 License to practice.** No person shall practice as an osteopathic physician and surgeon either gratuitously or for pay, or shall offer to so practice, or shall advertise or announce, either publicly or privately, that the person is prepared or qualified to so practice, or shall append the letters “Dr.” or the letters “D.O.” to the person’s name, with the intent thereby to imply that the person is a practitioner as an osteopathic physician and surgeon, without having a valid unrevoked license, obtained from the board

of osteopathic examiners, in form and manner substantially as hereinafter set forth.

Nothing herein shall:

- (1) Apply to any osteopathic physician and surgeon from another state who is in actual consultation with a licensed physician of this State if the physician from another state is licensed to practice in the state in which the physician resides; provided that the physician from another state shall not open an office, or administer treatment to any patient except in actual temporary consultation with a resident licensed physician of this State; or
- (2) Prohibit services rendered by any osteopathic physician's assistant when [such] the services are rendered under the supervision, direction, and control of an osteopathic physician and surgeon licensed in this State[. Such direction and control shall not be construed in every case to require the personal presence of the supervising and controlling osteopathic physician and surgeon.], as may be specified by rule or statute. The board of osteopathic examiners shall adopt rules to define the type of supervision, direction, and control that must be maintained and the extent that the personal presence of the osteopathic physician and surgeon will be required. Any osteopathic physician and surgeon who employs or directs [a] an osteopathic physician's assistant shall retain full professional and personal responsibility for any act which constitutes the practice of osteopathic medicine and surgery when performed by [such] an osteopathic physician's assistant."

SECTION 2. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 3. This Act shall take effect upon its approval.

(Approved May 29, 1987.)