

## ACT 66

H.B. NO. 588

A Bill for an Act Relating to Renewal Requirements of the Board of Medical Examiners.

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

SECTION 1. Section 453-6, Hawaii Revised Statutes, is amended to read as follows:

“**§453-6 Fees; expenses.** (a) No applicant shall be examined under this chapter until the applicant has paid to the board application, examination, and license fees. The board may provide separate fees for licensure by endorsement and for limited and temporary licenses.

(b) Every ~~[person]~~ physician or surgeon holding a license under this chapter shall ~~[reregister]~~ renew the license with the board no later than January 31, of each even-numbered year ~~[and for that registration shall]~~, pay a renewal fee ~~[At the time of reregistration, the physician or surgeon shall present to the board evidence of compliance with a program of]~~, and comply with the category 1 continuing medical education requirements provided in rules adopted by the board.

(c) A physician or surgeon shall meet the category 1 continuing medical education requirements by obtaining credit hours in a category 1 continuing medical education program accredited by the American Medical Association or in other approved category 1 continuing medical education as provided in the board's rules. To determine compliance, the board may conduct a random audit. A physician or surgeon selected for audit shall be notified by the board. Within sixty days of notification, the physician or surgeon shall provide to the board documentation to verify compliance with the category 1 continuing medical education requirements.

(d) Failure to [reregister] renew, pay the renewal fee, and [present evidence], in the case of audited physicians or surgeons, provide documentation of compliance shall constitute a forfeiture of license, which may be restored only upon the submission of written application therefor [and], payment to the board of a restoration fee[-], and, in the case of audited physicians and surgeons, documentation of compliance.

(e) A license that has been forfeited for one renewal term shall be automatically terminated and cannot be restored, and a new application for licensure shall be required.”

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SECTION 2. Section 453-32.1, Hawaii Revised Statutes, is amended to read as follows:

“~~[§453-32.1]~~ **Renewal of certification.** (a) Every person holding a certificate under this part shall ~~[reregister]~~ renew the certificate with the board no later than January 31 of each even-numbered year~~[-. Applicants for reregistration shall]~~, pay a renewal fee, and ~~[provide evidence of compliance]~~ comply with the continuing education requirements set forth in the board’s rules.

(b) To determine compliance, the board may conduct a random audit. A person selected for audit shall be notified by the board. Within sixty days of notification, the person shall provide to the board documentation to verify compliance with the continuing education requirements.

(c) Failure to ~~[reregister, including noncompliance with the continuing education requirements,]~~ renew, pay the renewal fee, and, in the case of audited persons, provide documentation of compliance shall constitute a forfeiture of the certificate which may only be restored upon the submission of written application ~~[for reregistration and]~~, payment to the board of a restoration fee[-], and in the case of audited persons, documentation of compliance.

(d) A certificate that has been forfeited for one renewal term shall be automatically terminated and cannot be restored, and a new application for certification shall be required.”

SECTION 3. Section 463E-5, Hawaii Revised Statutes, is amended to read as follows:

“**§463E-5 Fees; expenses.** (a) No applicant shall be examined under this chapter until the applicant has paid to the board application, examination, and license fees. The board may provide separate fees for licensure by endorsement and for limited and temporary licenses.

(b) Every person holding a license under this chapter shall ~~[reregister]~~ renew the license with the board no later than January 31 of each even-numbered year, ~~[and for registration shall]~~ pay a renewal fee~~[-. At the time of reregistration, the licensee shall provide written proof of a minimum of forty hours of postgraduate work or]~~, and comply with the continuing education ~~[of podiatric medicine taken during the previous biennium.]~~ requirements provided in rules adopted by the board.

(c) To determine compliance, the board may conduct a random audit. A licensee selected for audit shall be notified by the board. Within sixty days of notification, the licensee shall provide to the board documentation to verify compliance with the continuing education requirements.

(d) Failure to ~~[reregister]~~ renew, pay the renewal fee, and ~~[present this proof]~~ in the case of audited licensees, provide documentation of compliance shall constitute a forfeiture of the license, which may be restored only upon the submission of written application therefor ~~[and]~~, payment to the board of a restoration fee[-], and in the case of audited licensees, documentation of compliance.

(e) A license that has been forfeited for one renewal term shall be automatically terminated and cannot be restored, and a new application for licensure shall be required.”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

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

(Approved April 27, 2001.)