

ACT 26

S.B. NO. 2905

A Bill for an Act Relating to Medical Board Disciplinary Action.

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

SECTION 1. Section 453-8.2, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) In addition to any other actions authorized by law, in disciplining a licensee in a proceeding held in conformity with chapter 91, the board may impose one or more of the following [actions:] sanctions:

- (1) Place the licensee on probation, including such conditions of probation as requiring observation of the licensee by an appropriate group or society of licensed physicians or surgeons;
- (2) Suspend the license;
- (3) Revoke the license;
- (4) Limit the license by restricting the fields of practice in which the licensee may engage;
- (5) Fine the licensee, including assessment against the licensee of the costs of the disciplinary proceedings. Any fine imposed by the board after a hearing in accordance with chapter 91 shall be not less than \$500 and not more than \$5,000 for each violation, exclusive of the costs of the disciplinary proceedings; [or]
- (6) Require further education or training or require proof of performance competency[-]; or
- (7) Censure or reprimand.”

SECTION 2. Section 460-14.5, Hawaii Revised Statutes, is amended to read as follows:

“§460-14.5 **Disciplinary action.** In disciplining a licensee in a proceeding under section 460-12, the board may impose one or more of the following [~~actions:~~] sanctions:

- (1) Place the licensee on probation, including conditions of probation as requiring observation of the licensee by an appropriate group or society of licensed osteopathic physicians and surgeons;
- (2) Suspend the license;
- (3) Revoke the license;
- (4) Limit the license by restricting the fields of practice in which the licensee may engage;
- (5) Fine the licensee, including assessment against the licensee of the costs of the disciplinary proceedings. Any fine imposed by the board after a hearing in accordance with chapter 91 shall be not less than \$500 nor more than \$5,000 for each violation exclusive of the costs of the disciplinary proceedings; [~~or~~]
- (6) Require further education or training or require proof of performance competency[-]; or
- (7) Censure or reprimand.”

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved April 29, 2004.)