

**ACT 97**

S.B. NO. 324

A Bill for an Act Relating to the Practice of Medicine.

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

SECTION 1. The legislature finds that the definition of the practice of medicine was last amended in 2008 to include a distinct definition of osteopathic medicine. The legislature further finds that medical doctors and osteopathic doctors are both physicians of equivalent education and training and should be regulated as such.

Accordingly, the purpose of this Act is to establish a definition of the practice of medicine that provides uniformity of practice for both medical and osteopathic physicians.

SECTION 2. Section 453-1, Hawaii Revised Statutes, is amended to read as follows:

**“§453-1 Practice of medicine defined.** For the purposes of this chapter, the practice of medicine by a physician or an osteopathic physician includes the use of drugs and medicines~~[-];~~; surgery; manual medicine; water[-]; electricity[-]; hypnotism[-]; telehealth; the interpretation of tests, including primary diagnosis of pathology specimens, medical imaging, or any physical; osteopathic medicine~~[-; or]~~; any means, ~~[or]~~ method, or ~~[any]~~ agent, either tangible or intangible, ~~[for the treatment of]~~ to diagnose, treat, prescribe for, palliate, or correct disease, or prevent any human disease, condition, ailment, pain, injury, deformity, illness, infirmity, defect, physical or mental condition in the human subject~~[-; provided that when a duly licensed physician or osteopathic physician pronounces a person affected with any disease hopeless and beyond recovery and gives a written certificate to that effect to the person affected or the person’s attendant nothing herein shall forbid any person from giving or furnishing any remedial agent or measure when so requested by or on behalf of the affected person].~~

This section shall not amend or repeal the law respecting the treatment of those affected with Hansen’s disease.

~~[For purposes of this chapter, “osteopathic medicine” means the utilization of full methods of diagnosis and treatment in physical and mental health and disease, including the prescribing and administration of drugs and biologicals of all kinds, operative surgery, obstetrics, radiological, and other electromagnetic emissions, and placing special emphasis on the interrelation of the neuro-musculoskeletal system to all other body systems, and the amelioration of disturbed structure-function relationships by the clinical application of the osteopathic diagnosis and therapeutic skills for the maintenance of health and treatment of disease.]”~~

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 June 25, 2021.)