

VETO

THE SENATE
TWENTY-FIFTH LEGISLATURE, 2009
STATE OF HAWAII

S.B. NO. 43
S.D. 2
H.D. 2
C.D. 1

A BILL FOR AN ACT

VETO OVERRIDE

RELATING TO PHYSICIAN WORKFORCE ASSESSMENT.

ACT No. 18
Approved: [Signature]
Dated: July 15, 2009

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the state's
2 population growth and rapidly aging population will
3 significantly increase the demand for physician services.
4 Hawaii's physician workforce is also aging. Federal statistics
5 show that over a third of the State's physicians are fifty-five
6 years of age or older and can be expected to leave the workforce
7 at a time when demand is escalating. Furthermore, physician
8 shortages will likely reduce access to care, particularly for
9 neighbor island residents, the elderly, and the indigent
10 statewide. Physician workforce shortages will also
11 significantly raise the already high cost of medical care. In
12 2006, the federal government projected an across-the-board
13 national physician shortage by the year 2020. Medical
14 specialties whose physicians serve a large proportion of the
15 elderly, such as ophthalmology and cardiology, may experience
16 shortages ranging from thirty to fifty per cent. Many states



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1 have published internal studies that similarly forecast
2 physician shortages.

3 The legislature finds it prudent to assess Hawaii's
4 physician workforce on a continual basis. On-going assessments
5 based on reliable physician workforce data will support
6 proactive measures to prevent or ameliorate the impact of
7 physician shortages in Hawaii.

8 The purpose of this Act is to implement statewide physician
9 workforce assessment and planning.

10 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 "§304A- John A. Burns school of medicine special fund.

14 (a) There is established the John A. Burns school of medicine
15 special fund, to be administered and expended by the University
16 of Hawaii.

17 (b) The following shall be deposited into the special
18 fund:

19 (1) Appropriations by the legislature;

20 (2) Physician workforce assessment fees established
21 pursuant to section 453- ;



1 (3) Grants, donations, gifts, or other income received for
2 the purposes of the special fund; and

3 (4) Interest earned or accrued on moneys in the special
4 fund.

5 (c) Moneys in the special fund shall be used to support
6 the John A. Burns school of medicine's activities related to
7 physician workforce assessment and planning within Hawaii;
8 provided that expenditures from the special fund shall be
9 limited to no more than \$150,000 annually. This shall include
10 but not be limited to maintaining accurate physician workforce
11 assessment information and providing or updating personal and
12 professional information, that shall be maintained in a secure
13 database. The John A. Burns school of medicine may disclose
14 information specific to any physician only with the express
15 written consent of that physician."

16 SECTION 3. Chapter 453, Hawaii Revised Statutes, is
17 amended by adding a new section to be appropriately designated
18 and to read as follows:

19 "§453- Physician workforce assessment fee; license;
20 physician workforce information. When a license is renewed,
21 each physician or surgeon and each osteopathic physician or
22 surgeon shall be assessed a fee of \$60 that shall be transferred



1 and deposited into the John A. Burns school of medicine special
2 fund established under section 304A- to support ongoing
3 assessment and planning of the physician workforce in Hawaii.
4 Payment of the physician workforce assessment fee shall be
5 required for license renewal."

6 SECTION 4. The director of commerce and consumer affairs
7 shall disburse on a quarterly basis from the compliance
8 resolution fund, established pursuant to section 26-9(o), Hawaii
9 Revised Statutes, to the credit of the John A. Burns school of
10 medicine special fund established pursuant to section 304A- ,
11 Hawaii Revised Statutes, all moneys collected from the fee
12 assessed pursuant to section 453- , Hawaii Revised Statutes.

13 SECTION 5. The John A. Burns school of medicine shall
14 submit a report of findings and recommendations detailing its
15 assessment of the physician workforce to the legislature, the
16 state health planning and development agency, and the Hawaii
17 medical board no later than twenty days prior to the convening
18 of the regular session of 2011 and each odd-numbered year
19 thereafter. The report to the Hawaii medical board shall also
20 include information on the expenditure of fees collected
21 pursuant to section 453- , Hawaii Revised Statutes, to produce
22 a physician workforce plan for Hawaii.



1 SECTION 6. There is appropriated out of the compliance
2 resolution fund the sum of \$5,000 or so much thereof as may be
3 necessary for fiscal year 2009-2010 to be deposited into the
4 John A. Burns school of medicine special fund established
5 pursuant to section 304A- , Hawaii Revised Statutes.

6 The sum shall be reimbursed from the John A. Burns school
7 of medicine special fund to the compliance resolution fund by
8 July 1, 2010.

9 SECTION 7. There is appropriated out of the John A. Burns
10 school of medicine special fund the sum of \$150,000 or so much
11 thereof as may be necessary for fiscal year 2009-2010 and the
12 same sum or so much thereof as may be necessary for fiscal year
13 2010-2011 for expenditure as authorized under section
14 304A- (c), Hawaii Revised Statutes.

15 The sums appropriated shall be expended by the John A.
16 Burns school of medicine for the purposes of this Act.

17 SECTION 8. New statutory material is underscored.

18 SECTION 9. This Act shall take effect on July 1, 2009;
19 provided that sections 3 and 4 shall be repealed on June 30,
20 2012.

