

STAND. COM. REP. NO.

693

Honolulu, Hawaii

MAR 04 2011

RE: S.B. No. 597  
S.D. 2

Honorable Shan S. Tsutsui  
President of the Senate  
Twenty-Sixth State Legislature  
Regular Session of 2011  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 597, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS,"

begs leave to report as follows:

The purpose and intent of this measure is to authorize limited prescriptive authority for qualified psychologists practicing at a federally qualified health center.

Your Committee received testimony in support of this measure from the Hawaii Medical Service Association, Moloka'i Community Health Center, the American Psychological Association Practice Organization, Hawai'i Primary Care Association, Hawaii Psychological Association, Hui No Ke Ola Pono, Inc. and Malama I Ke Ola Health Center, Puna Community Medical Center, Waimanalo Health Center, Kokua Kalihi Valley Comprehensive Family Services, Na Pu'uwai Native Hawaiian Health Care System, Psychological Resources Hawaii, and seven private individuals. Your Committee received testimony in opposition to this measure from the Board of Psychology, Hawaii Medical Association, Psychologists Opposed to Prescription Privileges for Psychologists, and four private individuals. Your Committee received comments on this measure from Argosy University.

Your Committee finds that most of the State has been designated by the Health Resources and Services Administration of the United States Department of Health and Human Services as a mental health professional shortage area. Due to a lack of

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qualified providers in isolated rural areas and dense high-need urban areas of the State, residents have limited access to mental health care and the needs of many individuals go unmet. Your Committee also finds that the experience of the federal health care system and states that have already granted prescriptive authority demonstrate that appropriately trained psychologists can prescribe psychotropic medications safely and effectively. Further, your Committee finds that Hawaii's experience with granting prescriptive authority to other types of health care providers such as advanced practice registered nurses, physician assistants, and optometrists has shown that granting limited prescriptive authority to non-physician practitioners is administratively manageable and is an effective means of expanding access to important health care services.

Your Committee has amended this measure by:

- (1) Specifying that the limited prescriptive authority granted pursuant to this measure shall be initiated as a five-year pilot program that shall commence at Waianae Coast Comprehensive Health Center and later be expanded to other federally qualified health centers in the State;
- (2) Clarifying that the limited prescriptive authority granted by this measure shall apply to psychotropic medications not limited to antidepressants;
- (3) Clarifying that the limited prescriptive authority granted by this measure shall authorize a psychologist participating in the pilot program to prescribe psychotropic medications to patients under the psychologist's care at a federally qualified health care center;
- (4) Specifying that a psychologist participating in the pilot program created by this measure shall be directly supervised during the first two years of participation by a physician at the federally qualified health center where the psychologist practices and thereafter shall maintain a collegial relationship with the supervising physician as well as with the physicians who oversee the general health care of patients treated by the psychologist;

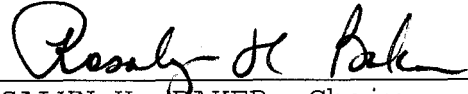


- (5) Specifying that the limited prescriptive authority granted by this measure does not include the authority to request, receive, or sign for professional controlled substance samples;
- (6) Defining or clarifying various terms used throughout this measure;
- (7) Requiring that a psychologist holding a conditional prescription certificate shall complete the first year of practice under the direction of a supervising physician;
- (8) Including a psychologist certified to prescribe under the definition of "practitioner" as used in the Uniform Controlled Substances Act, chapter 329, Hawaii Revised Statutes;
- (9) Requiring the Board of Psychology to act expeditiously to adopt rules to ensure that the pilot program commences no later than July 1, 2012;
- (10) Requiring that the Board of Psychology, under the direction of supervising physicians and in collaboration with participating psychologists and staff of participating federally qualified health centers, submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2016 on the implementation and results of the pilot program;
- (11) Making the measure effective upon its approval and repeal on June 30, 2016; and
- (12) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 597, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 597, S.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,



ROSALYN H. BAKER, Chair



The Senate  
 Twenty-Sixth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 597, SDI	HTH, CPN	3-2-11		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
TANIGUCHI, Brian T. (VC)	✓			
GALUTERIA, Brickwood				✓
GREEN, M.D., Josh	✓			
NISHIHARA, Clarence K.				✓
SOLOMON, Malama				✓
SLOM, Sam			✓	
<b>TOTAL</b>	3	0	1	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes