

Honolulu, Hawaii

March 2, 2007

RE: H.B. No. 1456

H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 1456, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PSYCHOLOGISTS,"

begs leave to report as follows:

The purpose of this bill is to increase and improve access to therapeutic and pharmacological mental health care in rural areas of the state by allowing appropriately trained psychologists practicing in licensed health care clinics within federally designated medically underserved areas or mental health professional shortage areas to prescribe a limited array of psychotropic medications; provided that they have met all the requirements to achieve:

- (1) A conditional prescription certificate, including the completion of pharmacological training, completion of a supervised practicum, passage of a national proficiency examination, and coverage by malpractice insurance; or
- (2) A prescription certificate, including:
 - (a) Completing at least two years of prescribing psychotropic medications while holding a conditional prescription certificate; and
 - (b) Successfully having undergone an independent peer review.



The Hawaii Primary Care Association, Na Puuwai Native Hawaiian Health Care System, Hamakua Health Center, Molokai Community Health Center, Hoola Lahui Hawaii, Waikiki Health Center, Community Clinic of Maui, Hawaii Psychological Association, West Hawaii Community Health Center, Inc., Kokua Kalihi Valley, Hawaii Medical Service Association, American Psychological Association, Waianae Coast Comprehensive Health Center, Community Leaders of the Leeward Coast and Kupuna Council of Waianae Coast Comprehensive Health Center, and a large number of concerned individuals testified in support of this bill. Papa Ola Lokahi supported the intent of this measure. The Department of Health, Board of Medical Examiners, Board of Psychology, Hawaii Medical Association, National Alliance on Mental Illness-Oahu, Hawaii Psychiatric Medical Association, and a large number of concerned individuals opposed this bill. A concerned individual provided comments.

Your Committee has amended this bill by:

- (1) Changing the supervisor for the practicum necessary to obtain a conditional prescriptive certificate from "licensed health care provider" to "prescribing mental health professional" to conform to the new definitions in this bill;
- (2) Changing the repeal date of this Act to July 1, 2011;
- (3) Requiring the Legislative Auditor to evaluate and report to the 2011 Legislature the effects of providing conditional prescriptive authority and prescriptive authority to psychologists on Hawaii's mental health care system, including recommendations on whether the prescriptive authority should be modified, eliminated, or continued; and
- (4) Making technical, nonsubstantive amendments for style, clarity, and consistency.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1456, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1456, H.D. 2.



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

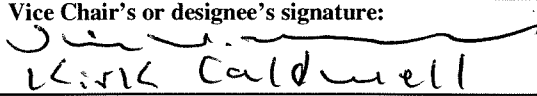


ROBERT N. HERKES, Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 1456, HD 1	Date: February 28, 2007			
Committee Referral: HLT, CPC	<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.			
The recommendation is to: <input type="checkbox"/> Pass, unamended <input checked="" type="checkbox"/> Pass, with amendments <input type="checkbox"/> Hold <input type="checkbox"/> Pass, with amendments, for recommittal for further consideration				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C)	✓			
2. McKELVEY, Angus L.K. (VC)				✓
3. CALDWELL, Kirk			✓	
4. EVANS, Cindy			✓	
5. GREEN, Josh, M.D.				✓
6. ITO, Ken			✓	
7. LUKE, Sylvia	✓			
8. MORITA, Hermina M.	✓			
9. SONSON, Alex M.			✓	
10. SOUKI, Joseph M.		✓		
11. TSUJI, Clift		✓		
12. YAMANE, Ryan I.		✓		
13. YAMASHITA, Kyle T.		✓		
14. MARUMOTO, Barbara C.		✓		
15. THIELEN, Cynthia				✓
TOTAL	3	5	4	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – HMSO Duplicate (Pink) – Clerk's Office				