



EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

GOV. MSG. NO. **548**

April 26, 2006

The Honorable Robert Bunda, President
and Members of the Senate
Twenty-Third State Legislature
State Capitol, Room 003
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on April 26, 2006, the following bill was signed into law:

SB2296 SD1

A BILL FOR AN ACT RELATING TO
NURSES.
(ACT 30)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

Approved by the Governor
on APR 26 2006

ACT 030

THE SENATE
TWENTY-THIRD LEGISLATURE, 2006
STATE OF HAWAII

S.B. NO. 2296
S.D. 1

A BILL FOR AN ACT

RELATING TO NURSES.

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

1 SECTION 1. Section 457-9, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§457-9 Renewal of license; denial, suspension, or
4 revocation of license for default of student loan, student loan
5 repayment contract, or scholarship contract[-]; inactivation and
6 reactivation of license; restoration of forfeited license. (a)

7 The license of every person licensed, recognized, or granted
8 prescriptive authority shall expire on June 30 of every odd-
9 numbered year and shall be renewed biennially, except as
10 provided in this section. Biennially in each odd-numbered year,
11 the board shall make available an application for renewal of
12 license before the deadline set forth by the board to every
13 person to whom a license was issued or renewed during the
14 biennium. The applicant shall complete the application and
15 submit it to the board with a renewal fee and all required
16 documents on or before the deadline set by the board. The
17 applicant shall provide documents from proper agencies or
18 parties of any criminal conviction or any disciplinary action



1 taken or pending in this State or any other state in the United
2 States or any territory or possession under the jurisdiction of
3 the United States within the two years prior to application for
4 renewal of license. Upon receipt of the application and fee,
5 the board shall verify the accuracy of the application and issue
6 to the applicant a certificate of renewal for the biennium
7 expiring two years hence on the deadline set by the board. The
8 renewal shall render the holder thereof a legal practitioner of
9 nursing for the period stated on the renewal form.

10 (b) Any licensee who fails to renew a license as provided
11 in subsection (a) but continues to practice shall be considered
12 an illegal practitioner and shall be subject to the penalties
13 provided for violations of this chapter[+]. The failure to
14 timely renew a license, the failure to pay all applicable fees,
15 the dishonoring of any check upon first deposit, or the failure
16 to comply with any other requirement provided by law shall cause
17 the license to be automatically forfeited; provided that the
18 person's license may be restored by the board [on satisfactory
19 explanation of the failure to renew and on payment of the
20 renewal fee and a penalty fee.] within two years after the date
21 of forfeiture upon compliance with the licensing renewal fees,
22 penalty fees, and compliance resolution fund fees.



1 A nurse who does not intend to practice nursing in the
2 State and elects to be placed on inactive status shall so
3 indicate in writing during the license renewal period or by so
4 indicating on the license renewal application, and paying
5 inactivation and all appropriate fees. Should the nurse wish to
6 resume nursing at some future time, the nurse shall notify the
7 board in writing and remit the reactivation and renewal [fee]
8 fees and application form as provided in subsection (a). A
9 nurse who has not actively practiced in this State or any other
10 state in the United States or any territory or possession under
11 the jurisdiction of the United States for more than five years
12 may be required by the board to submit proof of continued
13 competency by retaking and passing the licensing examination[~~-~~]
14 or successfully completing appropriate continuing education
15 recognized by the board.

16 (c) Notwithstanding any provision in this chapter to the
17 contrary, the board shall not renew or reinstate, or shall deny
18 [~~or~~], suspend, or revoke, any license or application if the
19 board has received certification from an administering entity
20 pursuant to chapter 436C that the licensee or applicant is in
21 default or breach of any obligation under any student loan,
22 student loan repayment contract, or scholarship contract that



1 financed the licensee's or applicant's education, or has failed
2 to comply with a repayment plan.

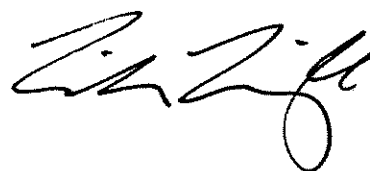
3 The board, in receipt of a certification pursuant to
4 chapter 436C, as applicable, and without further review or
5 hearing, shall:

- 6 (1) Suspend the license;
- 7 (2) Deny the application or request for renewal of the
8 license; or
- 9 (3) Deny the request for reinstatement of the license,

10 and unless otherwise provided by law, shall renew, reinstate, or
11 grant the license only upon receipt of an authorization from the
12 administering entity."

13 SECTION 2. Statutory material to be repealed is bracketed
14 and stricken. New statutory material is underscored.

15 SECTION 3. This Act shall take effect upon its approval;
16 provided that section 1, to the extent that it relates to
17 continuing education as alternative proof of continuing
18 competency of nurses, shall not take effect until the board of
19 nursing adopts rules in accordance with chapters 91 and 457,
20 Hawaii Revised Statutes.



GOVERNOR OF THE STATE OF HAWAII

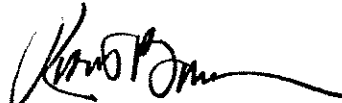
Approved this day: APR 26 2006

S.B. No. 2296, S.D. 1

THE SENATE OF THE STATE OF HAWAII

Date: March 7, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



President of the Senate



Clerk of the Senate


THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 6, 2006
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.



Speaker, House of Representatives



Clerk, House of Representatives