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

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



1 requirements provided by law and upon written application and
2 payment of all applicable renewal fees, penalty fees, compliance
3 resolution fund fees and, if applicable, recovery fund
4 assessments.

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

20 (c) Notwithstanding any provision in this chapter to the
21 contrary, the board shall not renew or reinstate, or shall deny
22 [~~or~~], suspend, or revoke any license or application if the board



1 has received certification from an administering entity pursuant
2 to chapter 436C that the licensee or applicant is in default or
3 breach of any obligation under any student loan, student loan
4 repayment contract, or scholarship contract that financed the
5 licensee's or applicant's education, or has failed to comply
6 with a repayment plan.

7 The board, in receipt of a certification pursuant to
8 chapter 436C, as applicable, and without further review or
9 hearing, shall:

- 10 (1) Suspend the license;
- 11 (2) Deny the application or request for renewal of the
12 license; or
- 13 (3) Deny the request for reinstatement of the license,
14 and unless otherwise provided by law, shall renew, reinstate, or
15 grant the license only upon receipt of an authorization from the
16 administering entity."

17 SECTION 2. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect upon its approval;
20 provided that the portion of section 1, that relates to
21 continuing education as alternative proof of continuing
22 competency of nurses, shall not take effect until the board of



- 1 nursing adopts rules in accordance with chapters 91 and 457,
- 2 Hawaii Revised Statutes.



HB 2333

HD1

Report Title:

Nurses; licensing

Description:

Provides for the automatic forfeiture of a license that is not timely renewed. Provides for an inactive license status. Imposes a 2 year restoration period for forfeited (non-renewal) licenses. Adds continuing education as an alternative proof of continuing competence for nurses who wish to activate their licenses after not having practiced nursing in the US for more than 5 years.

