
A BILL FOR AN ACT

RELATING TO NURSE AIDES.

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

1 SECTION 1. The legislature finds that Act 226, Session
2 Laws of Hawaii 2007, was enacted to provide for the
3 certification and recertification of nurse aides who work in
4 nursing facilities participating in medicare and medicaid
5 programs and in other state-licensed and state-certified health
6 care settings. Certification is a requirement under 42 United
7 States Code Sections 1395i-3 and 1396r.

8 The purpose of this Act is to specify the renewal period
9 for the recertification of certified nurse aides and the number
10 of continuing education hours required for recertification by
11 the director of human services.

12 SECTION 2. Section 346-46, Hawaii Revised Statutes, is
13 amended to read as follows:

14 "**[+]§346-46[+]** **Certified nurse aides; training programs**
15 **and recertification.** The director shall:

16 (1) Approve training programs for nurse aides and ensure
17 that the training programs comply with all applicable
18 federal and state requirements;

- 1 (2) Approve and arrange for the recertification process
- 2 for nurse aides who work in medicare or medicaid
- 3 certified nursing facilities; [~~and~~]
- 4 (3) Approve and arrange for the recertification process
- 5 for nurse aides who work in state-licensed or state-
- 6 certified health care settings[~~-~~]; and
- 7 (4) Require recertification not less than every two years.
- 8 The number of continuing education hours required for
- 9 recertification shall not exceed twenty-four hours per
- 10 year, except as specified by federal law."

11 SECTION 3. Section 457A-2, Hawaii Revised Statutes, is
 12 amended by amending subsection (c) to read as follows:

13 "(c) The director of human services shall implement this
 14 chapter in accordance with 42 United States Code [~~sections~~]
 15 Sections 1395i-3 and 1396r, that relate to:

- 16 (1) Training programs for nurse aides and recertification;
- 17 [~~and~~] provided that recertification shall be required
- 18 not less than every two years and the number of
- 19 continuing education hours required for
- 20 recertification shall not exceed twenty-four hours per
- 21 year, except as specified by federal law; and

1 (2) Disciplining of certified nurse aides employed in
2 health care settings licensed or certified by the
3 department of human services."

4 SECTION 4. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun, before its effective date.

7 SECTION 5. Statutory material to be repealed is bracketed
8 and stricken. New statutory material is underscored.

9 SECTION 6. This Act shall take effect on July 1, 2009.

Report Title:

Nurse Aide Certification

Description:

Specifies the renewal period for the recertification of nurse aides and the number of continuing education hours for their recertification. (SD2)