

STAND. COM. REP. NO.

1231

Honolulu, Hawaii

APR 09 2009

RE: H.B. No. 1378
H.D. 2
S.D. 2

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 1378, H.D. 2, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES,"

begs leave to report as follows:

The purpose of this measure is to increase access to health care by:

- (1) Recognizing advanced practice registered nurses as participating primary health care providers for insurance purposes;
- (2) Authorizing advanced practice registered nurses to sign documents relating to health care for their patients;
- (3) Clarifying educational and other requirements for advanced practice registered nurses; and
- (4) Clarifying advanced practice registered nurses' authority with regard to prescriptions for drugs, medical equipment, and therapeutic regimes.

Your Committee received testimony in support of this measure from the Department of Human Services, University of Hawaii, the Board of Nursing, the American Academy of Nurse Practitioners, Hawaii Association of Professional Nurses, Hawai'i Primary Care

2009-2023 SSCR SMA.doc



Association, Healthcare Association of Hawaii, Kaiser Permanente, Ka'u Hospital, Lanai Women's Center, Hawaii Government Employees Association, Occupational Therapy Association of Hawaii, AARP Hawaii, Walgreens, and twenty-four private citizens. Testimony with comments on this measure was received from the Department of Public Safety, Hawaii Medical Board, and the Disability and Communication Access Board. Testimony in opposition to this measure was received from Hawaii Medical Association. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that this measure will improve access to health care, especially in rural areas where there is a shortage of doctors. Your Committee further finds that advanced practice registered nurses are important members of the primary health care team and have expertise in both the science of medicine and the art of patient care.

Your Committee notes that it has worked in conjunction with insurers, health plans, the nursing school, the Center for Nursing, and the Board of Nursing to address the concerns raised by stakeholders regarding this measure. Further, your Committee has endeavored to advance this measure in a form that does not require any further technical changes in order to allow the House of Representatives to agree, if it is so inclined, to this measure in its current form and to avoid the need to appoint a conference committee.

Your Committee has amended this measure by:

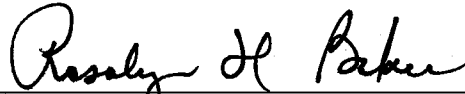
- (1) Clarifying that prescriptive authority does not include the authority to request, receive, or sign for professional controlled substance samples;
- (2) Adding a definition of "advanced practice registered nurse with prescriptive authority" to section 329-1, Hawaii Revised Statutes;
- (3) Amending the definition of "practitioner" in section 329-1, Hawaii Revised Statutes, to include an advanced practice registered nurse with prescriptive authority licensed and registered under section 329-32, Hawaii Revised Statutes;



- (4) Clarifying in section 329-121, Hawaii Revised Statutes, that "physician" excludes an advanced practice registered nurse with prescriptive authority under section 457-8.6, Hawaii Revised Statutes; and
- (5) Making technical, nonsubstantive amendments for the purpose of clarity and accuracy in its language.

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 H.B. No. 1378, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1378, H.D. 2, S.D. 2.

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



ROSALYN H. BAKER, Chair



