

STAND. COM. REP. NO.

306

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 1217

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

Madam:

Your Committee on Health, to which was referred S.B. No. 1217
entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS,"

begs leave to report as follows:

The purpose of this measure is to allow an advanced practice registered nurse who provides care to a patient requesting medical certification forms, the authority to sign certifications applicable to the care provided within the advanced practice registered nurse's scope of practice.

Testimony in support of this measure was submitted by the Board of Nursing, University of Hawaii School of Nursing and Dental Hygiene, Kaiser Permanente, the Hawaii Primary Care Association, and the Hawaii Government Employees Association. Comments on this measure were submitted by the Hawaii Association of Professional Nurses. Written testimony presented to your Committee may be reviewed on the Legislature's website.

Your Committee finds that authorizing advanced practice registered nurses to sign certain forms which are appropriate and within the parameters of their practice will reduce costs and patient hardships due to delays in starts of services, and will help advanced practice registered nurses to provide timely care and support to their patients.

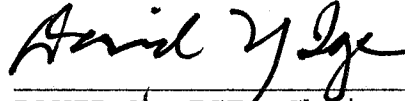
As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B.

2009-1210 SSCR SMA-1.doc



No. 1217 and recommends that it pass Second Reading and be referred to the Committee on Commerce and Consumer Protection.

Respectfully submitted on
behalf of the members of the
Committee on Health,



DAVID Y. IGE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* SB 1217	Committee Referral: HTH, CPN	Date: 2/13/19
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The committee is reconsidering its previous decision on this measure.
If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
GREEN, M.D., Josh (VC)	✓			
BAKER, Rosalyn H.	✓			
ESPERO, Will				✓
NISHIHARA, Clarence K.	✓			
HEMMINGS, Fred	✓			
TOTAL	5	0	0	1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:

Distribution: Original Yellow Pink Goldenrod
File with Committee Report Clerk's Office Drafting Agency Committee File Copy

*Only one measure per Record of Votes

JAN 28 2009

A BILL FOR AN ACT

RELATING TO HEALTH CARE PROFESSIONALS.

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

1 SECTION 1. The legislature finds that advanced practice
2 registered nurses are often asked by their patients to complete
3 and sign medical certifications for various purposes including
4 physical examinations, handicapped parking permits, physical and
5 speech therapy forms, and financial assistance certifications.
6 Current Hawaii law allows only physicians or psychologists to
7 sign documents attesting to their patients' health,
8 capabilities, or medical needs. Often, a physician who did not
9 provide care to the patient must sign these documents. At
10 times, there is not a physician available to sign medical
11 certifications at the point of care.

12 The legislature further finds that advanced practice
13 registered nurses provide a wide variety of health care to the
14 people in this State. Allowing these advanced practice
15 registered nurses to sign medical certification documents will
16 enable them to expedite the processing of paperwork and provide
17 optimal care at the first point of access for their patients,
18 especially in rural and underserved areas.



1 The purpose of this Act is to permit advanced practice
2 registered nurses who provide the actual care, to sign medical
3 certification forms for their patients applicable to the care
4 provided within the advanced practice registered nurse's scope
5 of practice.

6 SECTION 2. Chapter 457, Hawaii Revised Statutes, is
7 amended by adding a new section to be appropriately designated
8 and to read as follows:

9 "§457- Advanced practice registered nurse; power to sign
10 certain documents. Each advanced practice registered nurse
11 licensed under this chapter is authorized to sign certification
12 forms relating to patients to whom the advanced practice
13 registered nurse provides actual care within the advanced
14 practice registered nurse's scope of practice."

15 SECTION 3. New statutory material is underscored.

16 SECTION 4. This Act shall take effect upon its approval.

17

INTRODUCED BY: Ronald H. Pab
By Request



Report Title:

Advanced Practice Registered Nurses; Authority to Sign

Description:

Allows an advanced practice registered nurse who provides care to a patient requesting medical certification forms, the authority to sign certifications applicable to the care provided within the advanced practice registered nurse's scope of practice.



**PRESENTATION OF THE
BOARD OF NURSING**

THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

TWENTY-FIFTH LEGISLATURE
Regular Session of 2009

Tuesday, March 3, 2009
9:30 a.m.

**WRITTEN COMMENTS ON SENATE BILL NO. 1217, RELATING TO HEALTH CARE
PROFESSIONALS**

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND MEMBERS OF THE COMMITTEE:

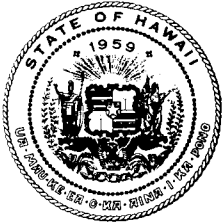
My name is Kathy Yokouchi. I am the Executive Officer of the Board of Nursing ("Board"). I appreciate the opportunity to present written comments on behalf of the Board in support of Senate Bill No. 1217.

The purpose of this measure is to allow advanced practice registered nurses ("APRNs") to sign certain medical certification forms for their patients applicable to the care provided within each practitioner's scope of practice.

Authorizing APRNs to sign certain forms which are appropriate and within the parameters of their work will reduce costs and hardships due to delays in starts of services, and will provide timely care and support to their clients.

The Board requests that this Committee pass this measure out unamended.

Thank you for the opportunity to present comments on Senate Bill No. 1217.



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

March 3, 2009

TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senate Bill 1217 – Relating to Health Care Professionals

The Disability and Communication Access Board (DCAB) is a statewide board with seventeen (17) members appointed by the Governor, thirteen (13) of whom are persons with disabilities or family members. The Board's mission is to advocate and promote full inclusion, independence, equal access, and quality of life for persons with disabilities in society. This testimony represents a position voted upon by the Legislative Committee of the Board.

DCAB has a question regarding the global signature authority on page 2, lines 9-14. DCAB administers the parking for persons with disabilities program that is operated by the counties on behalf of the State. We are uncertain whether or not the global signature authority in this bill will allow advanced practice registered nurses to sign applications for parking permits for persons with disabilities in lieu of a physician. If it does, we oppose the bill. If it does not grant that authority, then we have no position. DCAB offers no position on other portions of this bill.

We recommend inserting wording to clarify that this signature authority does not extend to the "handicapped parking" application form.

Thank you for the opportunity to comment on this issue.

Respectfully submitted,

CHARLES W. FLEMING
Chairperson

FRANCINE WAI
Executive Director



Hawai'i Primary Care Association

345 Queen Street | Suite 601 | Honolulu, HI 96813-4718 | Tel: 808.536.8442 | Fax: 808.524.0347
www.hawaiipca.net

To: **The Senate Committee on Commerce & Consumer Protection**
The Hon. Rosalyn H. Baker, Chair
The Hon. David Y. Ige, Vice Chair

Testimony in Support of Senate Bill 1217
Relating to Health Care Professionals
Submitted by Beth Giesting, CEO
March 3, 2009, 9:30 a.m. agenda, Room 229

The Hawaii Primary Care Association asks your support for this bill which would allow nurse practitioners to complete fairly routine paperwork for patients, thus making them much more useful as providers in primary care and other settings.

We find that nurse practitioners are excellent clinicians who earn very high marks for clinical quality and patient satisfaction. In addition, with shortages in physicians and financial resources, Hawaii would be well-served to allow NPs to take on the responsibilities outlined in the bill as a regular part of their work.

Thank you for the opportunity to add our support to this measure.

Testimony of
Phyllis Dendle
Director of Government Affairs

Senate Committee on Commerce and Consumer Protection
The Honorable Rosalyn H. Baker, Chair
The Honorable David Y. Ige, Vice Chair

March 3, 2009
9:30 am
Conference Room 229

SB 1217 RELATING TO HEALTH CARE PROFESSIONALS

Chair Baker, and committee members, thank you for this opportunity to provide written testimony on SB1217 that would allow an advanced practice registered nurse who provides care to a patient requesting medical certification forms, the authority to sign certifications applicable to the care provided within the advanced practice registered nurse's scope of practice.

Kaiser Permanente Hawaii supports this bill.

Kaiser Permanente supports the concept of APRNs completing and signing forms regarding patients they have evaluated and provided care for, for the conditions they are treating them for, within their scope of practice.

Thank you for the opportunity to comment

Testimony
Senate Bill SB 1217
Commerce and Consumer Protection
on
March 3, 2009 ~ Conference Room 229 9:30 AM

By

Dale M. Allison, PhD, RNC, APRN-Rx, FAAN
Hawai`i Pacific University
Professor of Nursing & Graduate Program Chair

SB1217 RELATING TO HEALTH CARE PROFESSIONALS.

Allows an advanced practice registered nurse who provides care to a patient requesting medical certification forms, the authority to sign certifications applicable to the care provided within the advanced practice registered nurse's scope of practice

Senator Rosalyn H. Baker, Chair and Senator David Y. Ing Vice Chair and Committee Members on Commerce and Consumer Protection:

Thank you for this opportunity to provide testimony regarding SB 1217. I thank you for putting forth an excellent bill that will allow Advanced Practice Registered Nurses to sign medical certification forms applicable to the APRN's scope of practice.

APRNs are part of the solution to the health care shortage of professional practitioners in the State of Hawai`i. APRNs are valuable contributors to health care and have the knowledge and clinical expertise to assess and sign appropriate medical forms for the care they have provided.

Please make your decision on the basis of the "facts" not "myths" as listed below:

MYTH: APRNs do not have adequate education and clinical training to prescribe controlled substances.
FACTS: APRNs are educated at a graduate level that includes courses in pharmacology, pathophysiology, and prescriptive practices. Additionally, to maintain national certification requires the APRN to complete continuing education and document clinical competency. In the majority of states, the Board of Nursing is designated as the sole authority to regulate APRN education, practice, and authority to prescribe controlled substances.

MYTH: APRNs providing primary care services will create a two-tier health care system.
FACTS: Forty years of experience and research evidence in both the medical and nursing literature consistently indicate that care provided by nurse practitioners is equal to the care of primary care doctors and that APRNs achieve quality health outcomes for patients. Care by APRNs is safe, effective and well accepted by consumers. We must improve access to primary care at a time when Hawai`i is experiencing severe provider shortages.

Mahalo nui loa for examining opening access to care for your constituents and correct analysis of the ability of APRNs to provide safe, quality care to residents of Hawai`i.

Thank you for this opportunity to testify.

March 2, 2009

The Senate

The Twenty-Fifth Legislature

Regularly Session of 209

Committee on Health

Senator David Ige, Chair

Senator Josh Green, MD, Vice Chair

And members of the Committee

RE: SB 1217

Aloha, my name is Nora Barrington Waters, RN, BSN. I am a working psychiatric Registered Nurse at Hilo Medical Center in the Adult Psychiatric Unit. I am also in the process of completing my Masters in Nursing, in the Child and Adolescent Mental Health tract at the University of Hawaii Manoa. I am also a member of the Hawai'i Association of Professional Nurses.

As a nurse for 25 years, 13 of which have been spent in Hilo, Hawaii, I want to lend my strong support to SB 1217 now under consideration. The years spent in Hilo on the Big Island have been frustrating and disturbing, as I have attempted to assist children in the Emergency Room at Hilo, and found year after year that there are less and less resources available for them and their families. Children and adolescents here must be flown to Honolulu, usually to Queens or to Kahi Mohala, in order to be evaluated and treated for behavioral or mental health problems. It is because of these experiences, that I am currently seeking my Advanced Practice Registered Nurse certification (APRN) in hopes that I can act in that professional capacity, to help to evaluate and treat this important patient population.

SB 1217 promotes vital changes to law that will allow APRNs to be granted the authority to sign any documents substantiating the care they render to patients. APRNs who evaluate and treat patient populations are also qualified, and in fact, they are required by professional responsibility to sign their own documentation of service. APRNs provide the same types of evaluations, treatment plans and treatments but must currently locate and arrange for a physician or psychologist to sign APRN work, when in most cases, the MD or PhD has no direct experience or relationship with the APRN patient. This requirement creates an unnecessary level of documentation that does not have real validity in terms of direct patient experience. For this reason, I believe this barrier should be removed so that APRNs in Hawaii can practice in the manner that they are well prepared to deliver health care. The removal of this barrier will be a positive step in assisting Hawaii patients to receive the health care they so desperately need and deserve.

Thank you for the opportunity to provide my strong support for SB 1217.

Aloha, Nora Barrington Waters, RN, BSN

2880 Alnaola Drive, Hilo, Hawaii 96720 (noisynorab@yahoo.com) 808-896-6335 cell

Eric Arquero

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 02, 2009 7:48 AM
To: CPN Testimony
Cc: geesey@hawaii.edu
Subject: Testimony for SB1217 on 3/3/2009 9:30:00 AM
Attachments: Handicap Parking Per#16D5A4.doc

Testimony for CPN 3/3/2009 9:30:00 AM SB1217

Conference room: 229
Testifier position: support
Testifier will be present: Yes
Submitted by: Yvonne Geesey
Organization: Hawaii Association of Professional Nurses
Address: PO Box 4314 Honolulu, HI
Phone: 808-227-9361
E-mail: geesey@hawaii.edu
Submitted on: 3/2/2009

Comments:

Aloha Senators Baker and Ige and Members of the Commerce and Consumer Protection Committee!

After researching federal law and regulations as well as Hawaii State law and rules it is clear that the federal law referenced by the Department of Health is a guideline from the federal government in the 1980s in an attempt to uniformly enact a disabled parking placard system. The law is not a mandate nor is it tied to federal highway funding.

Hawaii is one of 8 states that does not allow Advanced Practice Nurses to sign the certification forms for disabled parking certifications. In practice, we are actually completing the forms and then finding a colleague to sign them. Additionally this practice puts our colleague at risk under Hawaii Administrative Rules where they can be criminally prosecuted for falsifying these forms.

Please see the map from the American Association of Nurse Practitioners I've attached.

Hawaii Association of Professional Nurses supports this bill in the current form.

Aloha!