

JAN 26 2009

A BILL FOR AN ACT

RELATING TO ADVANCED PRACTICE REGISTERED NURSES.

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

1 SECTION 1. Chapter 431, article 10A, Hawaii Revised
2 Statutes, is amended by adding a new section to be appropriately
3 designated and to read as follows:

4 "§431:10A- Primary care provider; advanced practice
5 registered nurse. (a) Each policy of accident and health or
6 sickness insurance delivered or issued for delivery in this
7 State shall recognize advanced practice registered nurses as
8 defined under section 457-8.5 as participating providers and
9 shall include coverage for care provided by participating
10 advanced practice registered nurses practicing within the scope
11 of their licenses for purposes of health maintenance, diagnosis
12 or treatment to the extent that the policy provides benefits for
13 identical services rendered by another health care provider.

14 (b) Notwithstanding any other law to the contrary, an
15 insurer shall provide its insured with an opportunity to select
16 a participating advanced practice registered nurse as a primary
17 care provider, if the insured's policy requires the selection of



1 a primary care provider, and shall include participating
2 advanced practice registered nurses on any publicly available
3 list of participating primary care providers."

4 SECTION 2. Chapter 432, article 1, Hawaii Revised
5 Statutes, is amended by adding a new section to be appropriately
6 designated and to read as follows:

7 "§432:1- Primary care provider; advanced practice
8 registered nurse. (a) Each policy of insurance delivered or
9 issued for delivery in this State by a mutual benefit society
10 shall recognize advanced practice registered nurses as defined
11 under section 457-8.5 as participating providers and shall
12 include coverage for care provided by participating advanced
13 practice registered nurses practicing within the scope of their
14 licenses for purposes of health maintenance, diagnosis or
15 treatment to the extent that the policy provides benefits for
16 identical services rendered by another health care provider.

17 (b) Notwithstanding any other law to the contrary, mutual
18 benefit societies shall provide their members with an
19 opportunity to select a participating advanced practice
20 registered nurse as a primary care provider, if the member's
21 policy requires the selection of a primary care provider, and
22 shall include participating advanced practice registered nurses



1 on any publicly available list of participating primary care
2 providers."

3 SECTION 3. Chapter 432, article 2, Hawaii Revised
4 Statutes, is amended by adding a new section to be appropriately
5 designated and to read as follows:

6 "§432:2- Primary care provider; advanced practice
7 registered nurse. (a) Each policy of insurance delivered or
8 issued for delivery in this State by a fraternal benefit society
9 shall recognize advanced practice registered nurses as defined
10 under section 457-8.5 as participating providers and shall
11 include coverage for care provided by participating advanced
12 practice registered nurses practicing within the scope of their
13 licenses for purposes of health maintenance, diagnosis or
14 treatment to the extent that the policy provides benefits for
15 identical services rendered by another health care provider.

16 (b) Notwithstanding any other law to the contrary,
17 fraternal benefit societies shall provide their members with an
18 opportunity to select a participating advanced practice
19 registered nurse as a primary care provider, if the member's
20 policy requires the selection of a primary care provider, and
21 shall include participating advanced practice registered nurses



1 on any publicly available list of participating primary care
2 providers."

3 SECTION 4. Chapter 432D, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 **"§432D- Primary care provider; advanced practice**
7 **registered nurse.** (a) Each policy of insurance delivered or
8 issued for delivery in this State by a health maintenance
9 organization shall recognize advanced practice registered nurses
10 as defined under section 457-8.5 as participating providers and
11 shall include coverage for care provided by participating
12 advanced practice registered nurses practicing within the scope
13 of their licenses for purposes of health maintenance, diagnosis
14 or treatment to the extent that the policy provides benefits for
15 identical services rendered by another health care provider.

16 (b) Notwithstanding any other law to the contrary, health
17 maintenance organizations shall provide their members with an
18 opportunity to select a participating advanced practice
19 registered nurse as a primary care provider, if the member's
20 policy requires the selection of a primary care provider, and
21 shall include participating advanced practice registered nurses



1 on any publicly available list of participating primary care
2 providers."

3 SECTION 5. Chapter 457, Hawaii Revised Statutes, is
4 amended by adding a new section to be appropriately designated
5 and to read as follows:

6 "§457- Global signature authority. Notwithstanding any
7 law to the contrary, advanced practice registered nurses shall
8 be authorized to sign, certify, or endorse all documents
9 relating to health care for their patients, including but not
10 limited to workers' compensation verification documents,
11 verification and evaluation forms of the department of human
12 services, verification and evaluation forms of the department of
13 education, verification and authorization forms from the
14 department of health, and physical examination forms; provided
15 that nothing in this section shall be construed to expand the
16 scope of practice of advanced practice registered nurses."

17 SECTION 6. Section 457-2, Hawaii Revised Statutes, is
18 amended by amending the definition of "advanced practice
19 registered nurse" to read as follows:

20 "Advanced practice registered nurse" means a registered
21 nurse who has met the qualifications for advanced practice
22 registered nurse set forth in this chapter and through rules of



1 the board, which shall include ~~educational requirements.~~ the
2 following:

3 (1) Has completed an accredited graduate-level education
4 program leading to a degree or certification as a
5 certified registered nurse anesthetist, a certified
6 nurse midwife, a clinical nurse specialist, or a
7 certified nurse practitioner;

8 (2) Has passed a national certification examination that
9 measures role and population-focused competencies;

10 (3) Maintains continued competencies through
11 recertification in role and population competencies
12 through the national certification program;

13 (4) Has acquired advanced clinical knowledge and skills
14 preparing the nurse to provide direct care to patients
15 through a significant educational and practical
16 concentration on the direct care of patients;

17 (5) Demonstrates a greater breadth of knowledge, a greater
18 synthesis of data, greater complexity of skills and
19 interventions, and greater role autonomy than
20 demonstrated by a registered nurse;

21 (6) Has been educationally prepared to assume
22 responsibility and accountability for health promotion



1 and maintenance and to assess, diagnose, and manage
2 patient problems through the use and prescription of
3 pharmacologic and non-pharmacologic interventions; and
4 (7) Has clinical experience of sufficient depth and
5 breadth to reflect the intended license.

6 "Advanced practice registered nurse" also includes any
7 person holding a current, unencumbered recognition by the board
8 as an advanced practice registered nurse as of June 30, 2009."

9 SECTION 7. Section 457-8.6, Hawaii Revised Statutes, is
10 amended to read as follows:

11 **"§457-8.6 Prescriptive authority for advanced practice**
12 **registered nurses.** (a) The board shall grant prescriptive
13 authority to qualified or currently recognized, or both,
14 advanced practice registered nurses [~~and shall designate the~~
15 ~~requirements for advanced nursing practice related to~~
16 ~~prescriptive authority. The Hawaii medical board shall submit~~
17 ~~an annual report of all amendments made to the formularies to~~
18 ~~the board.~~

19 ~~(b) The department of commerce and consumer affairs shall~~
20 ~~establish a joint formulary advisory committee composed of:~~

21 ~~(1) Two persons licensed as advanced practice registered~~
22 ~~nurses and appointed by the board;~~



- 1 ~~(2) Two persons licensed in medicine by the Hawaii medical~~
- 2 ~~board and appointed by the Hawaii medical board;~~
- 3 ~~(3) Three persons licensed as pharmacists and appointed by~~
- 4 ~~the board of pharmacy;~~
- 5 ~~(4) One representative of the John A. Burns school of~~
- 6 ~~medicine appointed by the dean of the University of~~
- 7 ~~Hawaii school of medicine; and~~
- 8 ~~(5) One representative from a school of nursing with an~~
- 9 ~~advanced practice registered nurse program.~~

10 ~~The joint formulary advisory committee shall recommend the~~
11 ~~applicable formulary for persons recognized under this section.~~
12 ~~The Hawaii medical board shall consider the recommendations of~~
13 ~~the joint formulary advisory committee in adopting the~~
14 ~~formulary. The appropriate working relationship with licensed~~
15 ~~physicians shall be reflected in rules adopted by the board in~~
16 ~~accordance with chapter 91.~~

17 ~~The board shall establish nursing requirements for~~
18 ~~education, experience, and national certification pursuant to~~
19 ~~rules adopted in accordance with chapter 91].~~

20 (b) Qualified or currently recognized, or both, advanced
21 practice registered nurses shall be authorized to diagnose,
22 prescribe, and institute therapy or referrals of patients to



1 health care agencies, health care providers, and community
2 resources and may:

3 (1) Prescribe, procure, administer, and dispense over the
4 counter, legend, and controlled substances;

5 (2) Prescribe, order, and dispense medical devices and
6 equipment; and

7 (3) Plan and initiate a therapeutic regimen that includes
8 nutritional, diagnostic, and supportive services
9 including but not limited to home health care,
10 hospice, and physical and occupational therapy."

11 SECTION 8. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

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

14

INTRODUCED BY:

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Report Title:

Health Care; Advanced Practice Registered Nurse; Primary Care Provider; Prescriptive Authority

Description:

Requires insurers, mutual and fraternal benefit societies, and health maintenance organizations to recognize advanced practice registered nurses as primary care providers. Grants global signature authority and prescriptive rights. Amends definition of advanced practice registered nurse.

