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## A BILL FOR AN ACT

RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING.

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

1           SECTION 1. The purpose of this Act is to require certain  
2   licensing entities in the department of commerce and consumer  
3   affairs to accept certification of an applicant's skill level by  
4   any branch of the United States armed forces as proof that the  
5   applicant has satisfied the educational or experience  
6   requirements to be eligible to take the examination for  
7   licensure, if an examination exists, in specific professions and  
8   vocations, provided that the licensing entity deems that the  
9   skill level certified by the military meets or exceeds the  
10   requirements of the State. This Act specifically applies to  
11   motor vehicle mechanics, barbers, dental hygienists, dentists,  
12   electricians, plumbers, physicians and osteopathic physicians,  
13   registered nurses, licensed practical nurses, advanced practice  
14   registered nurses, and private guards.

15           SECTION 2. Section 437B-24, Hawaii Revised Statutes, is  
16   amended by amending subsection (a) to read as follows:

17           "(a) Except as provided in subsection (b) [below], every  
18   mechanic applying for [+]licensure[+] shall have passed the



1 appropriate certification test provided for in this chapter~~[+]~~;  
2 provided that the board shall accept certification of the  
3 applicant's skill level by any branch of the United States armed  
4 forces as meeting the certification test provided for in this  
5 chapter; provided further that the board deems that the  
6 substance of the skill level certified by the branch of the  
7 United States armed forces meets or exceeds the requirements of  
8 the State."

9 SECTION 3. Section 438-7, Hawaii Revised Statutes, is  
10 amended by amending subsection (b) to read as follows:

11 "(b) An applicant for a barber's license shall:

12 (1) Be at least seventeen years of age;

13 (2) Have a total of fifteen hundred clock hours of barber  
14 training through the following or a combination  
15 thereof:

16 (A) As a barber apprentice, holding a barber  
17 apprentice permit; ~~[or]~~

18 (B) As a student enrolled in a school that has a  
19 barbering curriculum; provided that only classes  
20 related to barbering shall be applied towards the  
21 accumulation of clock hours~~[+]~~; or



1           (C) Through certification of the applicant's skill  
2           level by any branch of the United States armed  
3           forces; provided that the board deems that the  
4           substance of the certified skill level meets or  
5           exceeds the requirements of the State;

6           the board shall adopt rules pursuant to chapter 91 to  
7           implement this paragraph; and

8           (3) Take and pass an examination for licensure."

9           SECTION 4. Section 447-1, Hawaii Revised Statutes, is  
10          amended by amending subsection (a) to read as follows:

11          "(a) Any person:

12          (1) Eighteen years of age or over;

13          (2) Holding and having a diploma or proper certificate of  
14          graduation from a dental hygiene school accredited by  
15          the American Dental Association (A.D.A.) Commission on  
16          Dental Accreditation requiring at least a two year  
17          course, recognized by the board of dental examiners;  
18          or holding certification of the applicant's skill  
19          level by any branch of the United States armed forces;  
20          provided that the board deems that the substance of  
21          the certified skill level meets or exceeds the  
22          requirements of the State; and



1           (3) Having been officially certified in the administration  
2           of intra-oral infiltration local anesthesia and  
3           intra-oral block anesthesia by an accredited dental  
4           hygiene school or by a certification program  
5           previously approved by the board; including  
6           certification of the applicant's skill level by any  
7           branch of the United States armed forces; provided  
8           that the board deems that the substance of the  
9           certified skill level meets or exceeds the  
10          requirements of the State;

11 upon written application made to and filed with the board may be  
12 examined for qualification as a dental hygienist.

13          The application for examination shall be accompanied by the  
14 applicant's certificate of graduation from an accredited dental  
15 hygiene school together with documentary proof of the  
16 applicant's certification in the administration of intra-oral  
17 infiltration local anesthesia and intra-oral block anesthesia.

18 At the time of filing the application, the applicant shall pay  
19 to the board application and examination fees, which fees,  
20 together with all other fees or charges in this chapter, shall  
21 be as provided in rules adopted by the director of commerce and  
22 consumer affairs pursuant to chapter 91, and shall be deposited



1 to the credit of the compliance resolution fund established  
2 pursuant to section 26-9(o)."

3 SECTION 5. Section 448-9, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "§448-9 Application for licensure. Any person [øf] at  
6 least eighteen years [~~or more~~] of age shall be eligible for  
7 licensure upon submission of:

8 (1) An application to the executive officer of the board  
9 not later than forty-five days prior to the date of  
10 the scheduled examination;

11 (2) Application and examination fees; and

12 (3) Documentation and credentials that shall include but  
13 are not limited to the following:

14 (A) A diploma or certificate of graduation from a  
15 dental college accredited by the American Dental  
16 Association Commission on Dental Accreditation,  
17 recognized and approved by the board; and

18 (B) A certificate or other evidence satisfactory to  
19 the board of having passed parts I and II of the  
20 National Board Dental Examination[-]; or

21 (C) As an alternative to subparagraphs (A) and (B),  
22 certification of the applicant's skill level by



1                   any branch of the United States armed forces;  
2                   provided that the board deems that the substance  
3                   of the certified skill level meets or exceeds the  
4                   requirements of the State."

5           SECTION 6. Section 448E-5, Hawaii Revised Statutes, is  
6 amended to read as follows:

7           "**§448E-5 Minimum requirements.** (a) An applicant shall  
8 possess the following minimum qualifications:

9           (1) Journey worker electrician. Every applicant to be  
10 eligible for the journey worker electrician  
11 examination shall be at least eighteen years of age  
12 and shall provide satisfactory evidence of experience  
13 in residential or commercial wiring of at least five  
14 years full-time or its equivalent, but not less than  
15 10,000 hours of experience in the trade under the  
16 supervision of a journey worker or supervising  
17 electrician.

18           (2) Journey worker specialty electrician. Every applicant  
19 to be eligible for the journey worker specialty  
20 electrician examination shall be at least eighteen  
21 years of age and shall have had at least five years'  
22 experience in the trade.



- 1           (3) Supervising electrician. Every applicant to be  
2           eligible for the supervising electrician examination  
3           shall have been registered with the board as a journey  
4           worker electrician for at least a period of four years  
5           in the trade or shall have had equivalent experience  
6           in the trade.
- 7           (4) Supervising specialty electrician. Every applicant to  
8           be eligible for the supervising specialty electrician  
9           examination shall have been registered with the board  
10          as a journey worker specialty electrician for at least  
11          a period of four years in the trade or shall have had  
12          equivalent experience in the trade.
- 13          (5) Journey worker plumber. Every applicant to be  
14          eligible for the journey worker plumber examination  
15          shall have had experience of at least five years'  
16          full-time or its equivalent but not less than 10,000  
17          hours as a journey worker's or master plumber's  
18          helper, and is able to furnish satisfactory evidence  
19          of such fact.
- 20          (6) Master plumber. Every applicant to be eligible for  
21          the master plumber examination shall have been  
22          registered with the board as a journey worker plumber



1           for at least two years or shall have had equivalent  
2           experience in the trade.

3           (7) Maintenance electrician. Every applicant to be  
4           eligible for the maintenance electrician examination  
5           shall be not less than eighteen years of age and shall  
6           have had at least one year of experience in performing  
7           electrical maintenance work or proof of two years of  
8           schooling in the electrical trade.

9           (8) Journey worker industrial electrician. Every  
10          applicant to be eligible for the journey worker  
11          industrial electrician examination shall be at least  
12          eighteen years of age and shall have had experience in  
13          industrial electrical work of at least five years  
14          full-time or its equivalent, but not less than 10,000  
15          hours.

16          (9) Supervising industrial electrician. Every applicant  
17          to be eligible for the supervising industrial  
18          electrician examination shall have been registered  
19          with the board as a journey worker industrial  
20          electrician for a period of at least four years or  
21          shall have had equivalent experience in the trade.





1        (b) For the experience requirements in subsection (a), the  
2 board shall accept certification of the applicant's skill level  
3 by any branch of the United States armed forces as proof in  
4 satisfaction of any or all of the experience requirements in  
5 order for the applicant to be eligible for the examination;  
6 provided that the board deems that the substance of the  
7 certified skill level meets or exceeds the requirements of the  
8 State."

9        SECTION 7. Section 453-4, Hawaii Revised Statutes, is  
10 amended by amending subsection (b) to read as follows:

11        "(b) Before any applicant shall be eligible for licensure,  
12 the applicant shall furnish proof satisfactory to the board  
13 that:

14        (1) The applicant is of demonstrated competence and  
15 professional knowledge; and either:

16        (2) The applicant is a graduate of:

17        (A) A medical school or college whose program leading  
18 to the M.D. degree is accredited by the Liaison  
19 Committee on Medical Education or whose program  
20 leading to the D.O. degree is approved by the  
21 American Osteopathic Association Commission on  
22 Osteopathic College Accreditation, and has served



1 a residency of at least one year in a program  
2 that has been accredited for the training of  
3 resident physicians or osteopathic physicians by  
4 the Accreditation Council for Graduate Medical  
5 Education or the American Osteopathic  
6 Association, respectively, or a residency of at  
7 least one year in a program in Canada that has  
8 been accredited for the training of resident  
9 physicians by the Royal College of Physicians and  
10 Surgeons of Canada, or the College of Family  
11 Physicians of Canada; or

12 (B) A foreign medical school and has had at least two  
13 years of residency in a program accredited by the  
14 Accreditation Council for Graduate Medical  
15 Education or the American Osteopathic  
16 Association, or has had at least two years of  
17 residency in a program in Canada that has been  
18 accredited for the training of resident  
19 physicians by the Royal College of Physicians and  
20 Surgeons of Canada, or by the College of Family  
21 Physicians of Canada; and:



- 1 (i) Holds the national certificate of the
- 2 Educational Commission for Foreign Medical
- 3 Graduates, or its successor, or for
- 4 applicants with residency training in
- 5 Canada, has passed with scores deemed
- 6 satisfactory by the board, the Medical
- 7 Council of Canada Evaluating Examination, or
- 8 its successor; or
- 9 (ii) Holds the certificate of the Fifth Pathway
- 10 Program of the American Medical Association;
- 11 provided that for a period of two years after
- 12 June 26, 2004, the requirements of subsection
- 13 (b)(2)(B)(i) and (ii) shall not apply to any
- 14 applicant who has had four years of residency in
- 15 a program accredited by the Accreditation Council
- 16 for Graduate Medical Education or the American
- 17 Osteopathic Association and who has passed, with
- 18 scores deemed satisfactory by the board, the
- 19 Special Purpose Examination (SPEX) [-]; or
- 20 (3) The applicant has had the applicant's skill level
- 21 certified by any branch of the United States armed
- 22 forces and the board deems that the substance of



1           certified skill level meets or exceeds any or all of  
2           the education or residency requirements of the State."

3           SECTION 8. Section 457-7, Hawaii Revised Statutes, is  
4 amended by amending subsection (f) to read as follows:

5           "(f) Applicants applying for a license to practice as a  
6 registered nurse by examination shall submit to the board proof  
7 of eligibility. Applicants shall be eligible to apply for a  
8 license by examination if they have:

9           (1) Graduated from a registered nursing program at an  
10 educational institution in the United States or any  
11 territory or possession under the jurisdiction of the  
12 United States and are qualified as determined by the  
13 board through rules adopted pursuant to chapter 91;

14           (2) Graduated from a registered nursing program at an  
15 educational institution in a foreign jurisdiction and  
16 have had their transcripts evaluated by professional  
17 evaluators designated by the board and are considered  
18 qualified as determined by the board through rules  
19 adopted pursuant to chapter 91; [e]

20           (3) Graduated with a bachelor's degree and satisfactorily  
21 completed the pre-licensure portion of a master's  
22 entry program in nursing at an accredited school of



1 nursing in the United States or any territory or  
 2 possession under the jurisdiction of the United States  
 3 that is recognized by the board or other state boards  
 4 of nursing and are qualified as determined by the  
 5 board[-]; or

6 (3) Have had their skill level certified by any branch of  
 7 the United States armed forces and the board deems  
 8 that the substance of the certified skill level meets  
 9 or exceeds the graduation requirements of the State  
 10 and are qualified as determined by the board."

11 SECTION 9. Section 457-8, Hawaii Revised Statutes, is  
 12 amended by amending subsection (a) to read as follows:

13 "(a) An applicant for a license to practice nursing as a  
 14 licensed practical nurse shall submit an application on a form  
 15 prescribed by the board and shall provide written evidence that  
 16 the applicant has completed a licensed practical nurse program,  
 17 or its equivalent, approved by the board, and holds a diploma or  
 18 certificate therefrom. The board shall deem certification of an  
 19 applicant's skill level by any branch of the United States armed  
 20 forces as the equivalent of a licensed practical nurse program;  
 21 provided that the board deems that the substance of certified  
 22 skill level meets or exceeds the requirements of the State."



1 SECTION 10. Section 457-8.5, Hawaii Revised Statutes, is  
2 amended by amending subsection (a) to read as follows:

3 "(a) The board shall grant recognition as an advanced  
4 practice registered nurse; provided the nurse has:

5 (1) A current, unencumbered license as a registered nurse  
6 in this State;

7 (2) An unencumbered license as a registered nurse in all  
8 other states in which the nurse has a current and  
9 active license;

10 (3) An unencumbered recognition as an advanced practice  
11 registered nurse or similar designation in all other  
12 states in which the nurse has a current and active  
13 recognition as an advanced practice registered nurse;

14 (4) A master's degree in nursing as specified in rules  
15 adopted by the board or a current certification for  
16 specialized and advanced nursing practice from either  
17 a national certifying body recognized by the board[+] or  
18 any branch of the United States armed forces,  
19 provided that the board deems that the substance of  
20 the skill level certified by the branch of the United  
21 States armed forces meets or exceeds the requirements  
22 of the State; provided that certified nurse midwives



1 shall maintain current certification from a national  
2 certifying body recognized by the board; and

3 (5) Paid the appropriate fees."

4 SECTION 11. Section 463-8, Hawaii Revised Statutes, is  
5 amended by amending subsection (a) to read as follows:

6 "(a) The board may grant a guard license to any suitable  
7 individual, or a guard agency license to any suitable firm  
8 making written application therefor. The applicant, if an  
9 individual, or the principal guard of a firm shall:

- 10 (1) Be not less than eighteen years of age;
- 11 (2) Have had a high school education or its equivalent;
- 12 (3) Have had experience reasonably equivalent to at least  
13 four years of full-time guard work[+], including  
14 certification of an applicant's skill level by any  
15 branch of the United States armed forces; provided  
16 that the board deems that the substance of certified  
17 skill level meets or exceeds the experience  
18 requirements of the State;
- 19 (4) Not be presently suffering from any psychiatric or  
20 psychological disorder which is directly related and  
21 detrimental to a person's performance in the  
22 profession;



1 (5) Not have been convicted in any jurisdiction of a crime  
2 which reflects unfavorably on the fitness of the  
3 applicant to engage in the profession, unless the  
4 conviction has been annulled or expunged by court  
5 order; and

6 (6) Possess a history of honesty, truthfulness, financial  
7 integrity, and fair dealing.

8 A firm applying for a guard agency license shall have in its  
9 employ an individual who is licensed as a guard and who shall be  
10 designated as the principal guard for the firm, and shall  
11 provide a bond as required under section 463-12."

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

14 SECTION 13. This Act shall take effect upon its approval.

15

INTRODUCED BY: Andy Evans  
[Signature]

JAN 23 2009





**Report Title:**

Professional and Vocational Licensing

**Description:**

Requires the department of commerce and consumer affairs and regulatory boards and commissions to accept military certification of a skill as meeting the education or experience prerequisites to be eligible to take an examination for licensure in specified professions and vocations.

