

Honolulu, Hawaii

FEB 26 2010

RE: S.B. No. 2163  
S.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fifth State Legislature  
Regular Session of 2010  
State of Hawaii

Madam:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 2163, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO THE PRACTICE OF NURSING,"

begs leave to report as follows:

The purpose of this measure is to define the practice of nursing and delineate the scope of practice for registered nurses, licensed practical nurses, and advanced practice registered nurses.

The measure adopts the National Council of State Boards of Nursing Model Nursing Practice Act (NCSBN) and Model Nursing Administrative Rules that pertain to the scope and standards of nursing practice for registered nurses, licensed practical nurses, and advanced practice registered nurses.

Your Committee received testimony in support of the intent of this measure with amendments from the Board of Nursing, University of Hawai'i Kapi'olani Community College Nursing Department, the Hawaii Association of Professional Nurses, and eight individuals. Written testimony presented to the Committee may be reviewed on the Legislature's website.

Your Committee finds that consumers benefit when nurses provide uniform nursing care. In this regard, adopting NCSBN provisions and rules will help Hawaii to conform to national guidelines governing nursing practice. Additionally, your Committee notes that language in the measure requiring advanced



practice registered nurses to be under the authority and supervision of a registered physician when prescribing controlled substances is not needed. The Board of Nursing has assured your Committee that administrative rules currently being adopted require the collaborative agreements between collaborating physicians and advanced practice registered nurses to ensure that generally accepted standards of practice in accordance with state and federal law are adhered to in prescribing controlled substances. Your Committee finds that this approach has been adopted by over forty states and is appropriate for the State of Hawaii. This approach is also consistent with the intent of Act 169, Session Laws of Hawaii 2009, which sought to update advanced practice registered nurses' authority to write prescriptions to increase access to health care professionals in Hawaii and found the roles of physicians and advanced practice registered nurses to be complementary.

Your Committee has amended this measure by:

- (1) Removing dispensation authority for advanced practice registered nurses;
- (2) Amending the definition of advanced practice registered nurse to delete the requirement that advanced practice registered nurses be under the authority and supervision of a registered physician; and
- (3) Making technical, nonsubstantive changes to ensure clarity and accuracy in the language of this measure.

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 S.B. No. 2163, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2163, S.D. 2.



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

  
\_\_\_\_\_  
ROSALYN H. BAKER, Chair



The Senate  
Twenty-Fifth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:* <b>SB2163 SDI</b>	Committee Referral: <b>HTH, CPN</b>	Date: <b>2/19/10</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
IGE, David Y. (VC)				✓
ESPERO, Will	✓			
GREEN, M.D., Josh	✓			
IHARA, Jr., Les	✓			
SAKAMOTO, Norman	✓			
HEMMINGS, Fred				✓
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original     Yellow     Pink     Goldenrod File with Committee Report     Clerk's Office     Drafting Agency     Committee File Copy				

\*Only one measure per Record of Votes