



UNIVERSITY OF HAWAII SYSTEM
Legislative Testimony

Written Testimony Presented Before the
House Committee on Health
March 12, 2010, 9:30 a.m.

by

Virginia S. Hinshaw, Chancellor
and

Mary G. Boland, DrPH, RN, FAAN
Dean and Professor
School of Nursing and Dental Hygiene
University of Hawai'i at Mānoa

SB2163 SD2 RELATING TO THE PRACTICE OF NURSING

Chair Yamane, Vice Chair Nishimoto, and members of the House Committee on Health, thank you for this opportunity to provide testimony in support of this bill, SB2163 SD2, updating Hawai'i Revised Statutes to adopt the provisions of the National Council of State Boards of Nursing (NCSBN) relating to the scope and standards of nursing practice.

We support this bill to update the nursing practice scope and standards with the NCSBN model. By applying the model in Hawai'i, we will be aligned with the nation's direction in nursing and healthcare, and advance the recent Hawai'i legislative changes to support advanced practice registered nursing in Hawai'i.

We appreciate your continuing support of nursing and healthcare in Hawai'i. Thank you for the opportunity to testify.

**PRESENTATION OF THE
BOARD OF NURSING**

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-FIFTH LEGISLATURE
Regular Session of 2010

Friday, March 12, 2010
9:30 a.m.

**TESTIMONY ON SENATE BILL NO. 2163, S.D. 2, RELATING TO THE PRACTICE OF
NURSING.**

TO THE HONORABLE RYAN I. YAMANE, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Kathy Yokouchi and I am the Executive Officer of the Board of Nursing ("Board"). On behalf of the Board, I thank you for the opportunity to present testimony in support of Senate Bill No. 2163, S.D. 2, Relating to the Practice of Nursing, which is the companion bill to House Bill No. 1847, H.D. 1. Both bills are substantively identical except for technical, non-substantive changes in both versions which the Board does not oppose.

However, as the Board does not feel that procuring and dispensing of drugs are within the APRNs' scope of practice, it recommends that a new Section be added to Senate Bill No. 2163, S.D. 2 to amend Section 457-8.6(d). This would be consistent with the deletion of "dispensation" of drugs from the APRN scope of practice (in Senate Bill No. 2163, S.D. 2, Section 2, page 5, lines 12-15 and in House Bill No. 1847, H.D. 1, page 5, lines 9-12). Therefore, the Board respectfully requests that this Senate Bill No. 2163, S.D. 2, be amended by adding a new section which reads:

SECTION . Section 457-8.6(d), Hawaii Revised Statutes, is amended to read as follows:

- "(d) Advanced practice registered nurses shall be considered qualified if they have met the requirements of section 457-8.5(a), and have met the advanced pharmacology requirements for initial prescriptive authority pursuant to rules adopted by the board. Only qualified advanced practice

registered nurses authorized to diagnose, prescribe, and institute therapy or referrals of patients to health care agencies, health care providers, and community resources and, only as appropriate, to the practice specialty in which the advanced practice nurse is qualified, may:

- (1) Prescribe ~~[, procure,]~~ and administer ~~[, and dispense]~~ over the counter and legend drugs, and controlled substances pursuant to this chapter and to chapter 329; provided that an advanced practice registered nurse shall not request, receive, or sign for professional controlled substance samples;
- (2) Prescribe, order and dispense medical devices and equipment;
and
- (3) Plan and initiate a therapeutic regimen that includes nutritional, diagnostic, and supportive services including home health care, hospice, and physical and occupational therapy.”

For these reasons, the Board of Nursing strongly supports passage of Senate Bill No. 2163, S.D. 2 with the proposed amendments. Thank you for the opportunity to testify.

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-FIFTH LEGISLATURE
Regular Session of 2010

Friday, March 12, 2010
9:30 a.m.

TESTIMONY ON SENATE BILL NO. 2163, H.D. 1, RELATING TO THE PRACTICE OF NURSING.

TO REPRESENTATIVE RYAN I. YAMANE, CHAIR, COMMITTEE ON HEALTH
AND MEMBERS OF THE COMMITTEE:

My name is Denise Cohen and I am an advanced practice nurse and an associate professor of nursing at Maui Community College on the island of Maui. I also represent Maui on the Board of Nursing. I want to thank you for the opportunity to present testimony in strong support of Senate Bill No. 2163, H.D. 1, except for 1 provision in Section 2.

This bill defines the practice of nursing; directs the Board to adopt certain provisions of the National Council of State Boards of Nursing ("NCSBN") Model Nursing Practice Act ("MNPA") and Model Nursing Administrative Rules ("MNAR"); delineates the scope of practice for registered nurses, licensed practical nurses, and advanced practice registered nurses; and repeals Hawaii Administrative Rules relating to prescriptive authority for advanced practice registered nurses. Section 4

I am in support of Senate Bill No. 2163, H.D. 1 because:

- Section 457-2, Hawaii Revised Statutes contains only two paragraphs on the practice of nursing as a registered nurse and a practical nurse;
- The demand from the health care community for further clarification of registered and practical nursing scope of practice has grown over the years;
- The guidelines for advanced practice registered nurses practice are consistent with Session Laws of Hawaii 2009, Act 169 (Sections 457-8.5 and 457-9);

- The purpose of the MNPA and MNAR is to provide uniform national guidelines relating to nursing practice for all state boards of nursing in the United States and its territories. Consumers benefit when nurses provide uniform nursing care;
- The MNPA and MNAR were approved by the Delegate Assembly of the NCSBN in 2006. The boards of nursing of the fifty states and the U.S. territories form the Delegate Assembly of the NCSBN;
- All amendments to the MNPA and MNAR require the approval of the Delegate Assembly.
- The adoption of the MNPA and MNAR does not give the NCSBN any legal authority in the State, over the Board, the nurse licensees, entity or person of the State;
- The Board worked with the Department of Health, Department of Human Services; the Hawaii Association of Professional Nurses; the Hawaii Long Term Care Association; Healthcare Association of Hawaii; the schools of nursing under the University of Hawaii system; Hawaii Pacific University; and the University of Phoenix; and stakeholders in the health care community before deciding to adopt the MNPA and MNAR. All stakeholders reviewed and commented on how the adoption of MNPA and MNAR would impact their areas;
- General consensus to adopt the MNPA and MNAR was formed among the stakeholders; and
- As the NCSBN amends the MNPA and the MNAR, the Board will study all changes in the context of Hawaii's nursing laws. If the Board determines that any of the changes conflict with existing state statutes, regulations, or constitutional law or are inappropriate to Hawaii, the Board will list these



Testimony Presented Before the
Senate Committee on Health
March 12, 2010, 9:30 a.m.
By
Gail P. Tiwanak RN, MBA
Director
Hawaii State Center for Nursing

SB 2163 RELATING TO THE PRACTICE OF NURSING

Chair Yamane, Vice Chair Nishimoto, and members of the Senate Committee on Health, thank you for this opportunity to provide testimony in support of SB 2163 updating Hawai'i Revised Statutes to adopt the provisions of the National Council of State Boards of Nursing (NCSBN) relating to the scope and standards of nursing practice.

We support this bill to update the nursing practice scope and standards with the NCSBN model. By applying the model in Hawai'i, we will be aligned with the nation's direction in nursing and healthcare, and advance the recent Hawai'i legislative changes to support advanced practice registered nursing in Hawai'i.

We appreciate your continuing support of nursing and healthcare in Hawai'i. Thank you for the opportunity to testify

exceptions in the Board's policy book and make them available to the public until it is able to incorporate the exceptions into its rules.

However, I do not support APRNs' dispensing of drugs as according to Narcotics Enforcement (NE) only pharmacists can dispense and I respectfully request that Section 2, page 4 (lines 10-11) be amended to read as follows:

"...includes but is not limited to advanced assessment and the diagnosis, prescription, selection **and** administration [~~and dispensation~~] of therapeutic measures including over the counter drugs, legend drugs, and controlled substances within the advanced practice registered nurse's role and specialty-appropriate education and certification."

For these reasons, I strongly support passage of Senate Bill No. 2163, H.D. 1 with the proposed amendments. Thank you for the opportunity to testify.

Respectfully submitted

Denise Cohen, APRN
Associate Professor of Nursing
University of Hawaii – Maui Community College

March 9, 2010

Hawaii House Committee on Health
State Capitol
Honolulu, HI 96817
Attn: Representative Ryan Yamane, Chair
RE: Support for SB 2163, SD2 Relating to the Practice of Nursing

Dear House Committee on Health,

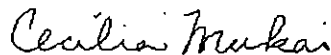
I am a practicing, part-time Family Nurse Practitioner and nursing faculty member at UH Hilo and wish to submit testimony as an individual.

I fully support SB 2163, SD2. Recognition of the expertise of APRN's and the important role they play in ensuring access to care for Hawaii's people is truly important at this time. National and local statistics support the fact that APRN's provide safe, effective, cost effective services and help in combating the rising rate of health problems in Hawaii's people.

With a proven track record of safe, responsible practice, APRN's can and should be regulated by its own professional board, the Hawaii BON (Board of Nursing,) rather than by a non-nursing entity that cannot fully appreciate the integral details of professional advanced nursing practice. Using the support from national resources such as the NCSBN (National Council of State Boards of Nursing) can only enhance the efficiency of the Hawaii BON and strengthen Hawaii's regulations governing nursing practice.

SB 2163, SD2 is good for Hawaii's people. I fully support its passage.

Aloha, Cecilia Mukai



Cecilia Mukai, PhD, APRN, FNPC
27 Hualilili St.
Hilo, HI 96720
Re: Support for SB 2163, SD2 regarding the Practice of Nursing

I fully support SB 2163. We need to clarify the existing language that defines the practice of nursing in their different levels to meet the Standards adopted by the National Council of State Boards of Nursing.

Last year there was a tremendous amount of energy from legislators, the Board of Nursing and the community to enact Act 169 which is part of what this bill is based on. Unfortunately even though Act 169 passed and became law it still has not been implemented because of the existing language with Hawaii's Board of Nursing as it applies to the Advance Practice Nurse (APRN).

There is a health care crisis that is very prominent in the state of Hawaii with not enough providers to care for the population. To have Act 169 passed last year and still not being implemented affects not only APRNs in our state, it also affects the public who deserves better access to health care, especially in the outer islands.

I have friends that are APRNs who would love to live in Hawaii, but are deterred because of the barriers that exist in this state for APRNs to practice in their full potentials. I have also met APRNs who are leaving Hawaii to go back to the mainland because they are fed up with the barriers that exist in this state towards Nurse Practitioners.

Thank you for your time and hopefully support to pass SB 2163

Cristina E. Prokop, APRN

nishimoto2-Ashley

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 10, 2010 5:29 PM
To: HLTtestimony
Cc: kohala123@msn.com
Subject: Testimony for SB2163 on 3/12/2010 9:30:00 AM

Testimony for HLT 3/12/2010 9:30:00 AM SB2163

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Elizabeth Bush, APRN
Organization: Individual
Address: 64-5234 Hohola Dr Kamuela, Hawaii
Phone: 808-885-5988
E-mail: kohala123@msn.com
Submitted on: 3/10/2010

Comments:

Aloha Legislators,

Please pass this bill. It is important so that Act 169 can be instituted and the old rules omitted. Hawaii Nursing practice will be on par with National trends, thus mitigating the ongoing brain drain and exodus of qualified licensed providers such as APRNs from Hawaii.

Thanking you in Advance.

O au me ka ha`a ha`a (I am humbly yours),

Elizabeth Bush, MSN, APRN-Rx, CARN-AP, CSAC Board Certified Psychiatric Advanced Practice Nurse (NP and CNS) Certified Addiction Registered Nurse, Advanced Practice Certified Substance Abuse Counselor

"The best way to find yourself is to lose yourself in the service of others." ~ Mahatma Gandhi

<http://addictionsprofessional.com>

nishimoto2-Ashley

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 10, 2010 5:57 PM
To: HLTtestimony
Cc: matt.bishop5@hawaiiintel.net
Subject: Testimony for SB2163 on 3/12/2010 9:30:00 AM

Testimony for HLT 3/12/2010 9:30:00 AM SB2163

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: Mathew Bishop
Organization: Individual
Address: 94-418 Kapuahi St. # 17 Mililani, HI
Phone: 808-625-9698
E-mail: matt.bishop5@hawaiiintel.net
Submitted on: 3/10/2010

Comments:

I am in support of this legislation. This will advance the practice of nursing in the state and will improve the access to health care for many citizens of this state. This will allow the nursing profession to become more in line with national standards for nursing and allow us to continue to develop better and more adaptable nursing professionals in this state. I urge you to pass this bill.

THE HOUSE COMMITTEE on
HEALTH
Friday, March 12, 2010
Conference room 329
9:30 AM

In SUPPORT of SENATE BILL NO. 2163, SD 2
Relating to the Practice of Nursing

TO: THE HONORABLE RYAN J. YAMANE, CHAIR,
THE HONORABLE SCOTT Y. NISHIMOTO, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE

My name is Amy Stone Murai and I testify in strong support of SB 2163, SD 2 and its similar companion House Bill No. 1847, H.D.1. I have been a registered nurse for 35 years, an advanced practice registered nurse (APRN) for 33 years, and have been licensed in the State of Hawaii since 1989. I am a member of the Board of Nursing (Board), but provide this testimony as an individual.

The purpose of SB 2163 is multifold:

- To augment and update the meager definitions for the practice of nursing at the LPN, RN, and APRN levels that exist in the current Statute;
- To align Hawaii's LPN, RN, and APRN Scopes of Practice with models adopted by the National Council of State Boards of Nursing (NCSBN) and approved by representatives of state and territorial boards of nursing at its annual meeting;
- To align with and facilitate the implementation of Act 169 related to APRN practice that was signed into law in 2009;
- To provide the public, who are employers and consumers of nursing services, with greater clarity on the roles and responsibilities of nurses in our state; and
- To establish uniformity and facilitate implementation of interstate licensure of nurses should the Board determine that to do so would be in the best interest of the citizens of Hawaii.

Thank you for the opportunity to testify in support of SB 2163, SD 2, relating to the practice of nursing. I thank the committee for their consideration.

Amy Stone Murai, RN, MS, APRN, WHNP-BC

THE HOUSE OF REPRESENTATIVES
COMMITTEE ON HEALTH
Friday, March 12, 2010
9:30 a.m.
Conference Room 329
State Capitol
415 South Beretania Street

In SUPPORT of SENATE BILL NO. 2163 SD2
Relating to the Practice of Nursing

TO: THE HONORABLE Rep. Ryan I. Yamane, Chair
THE HONORABLE Rep. Scott Y. Nishimoto, Vice Chair and committee members

My name is Valisa Saunders and I testify in strong support of SB 2163 SD2. I have been a registered nurse for 33 years, an advanced practice registered nurse (APRN) for 27 years. I have been working as a nurse and Gerontological Nurse Practitioner in Hawaii for 26 years. In addition to my full time job as a clinician I am an adjunct faculty member for the University Of Hawaii School Of Nursing. As a past member and chair of the Board of Nursing (BON), 1995-2001, I am familiar with the work of the National Council of State Boards of Nursing (NCSBN), and the Hawaii Board of Nursing's careful deliberations over this model legislation. They have spent over 15 years perfecting nursing regulatory language with resources and consensus building with many nursing groups in the country. Hawaii would be wise to use this resource and adopt SB 2163 SD2 to implement the model.

I support SB 2163 for the following reasons:

1. SB 2163 updates definitions for nursing practice at all levels to give clarity to existing and proposed regulation.
2. SB 2163 aligns LPN, RN and APRN Scope of Practice with the highly developed NCSBN model approved by the state and territorial boards of nursing. This would help align Hawaii to facilitate implementation of interstate licensure of nurses should the Board determine that to do so would be in the best interest of the citizens of Hawaii.
3. SB 2163 aligns current pending nursing rules in Act 169 related to APRN practice.
4. Further clarifies Nursing Delegation to unlicensed personnel delivering nursing care. This is an area I deal with on a daily basis in my practice with the frail elderly in the community.

Thank you for the opportunity to testify in support of SB 2163 SD2, relating to the practice of nursing. I am sorry that I cannot be present person to respond to any questions.

Valisa Saunders MN, APRN, GNP
Gerontological Nurse Practitioner
Email: Valisa@hawaii.rr.com