

SB2163

LINDA LINGLE
GOVERNOR



STATE OF HAWAII
DEPARTMENT OF PUBLIC SAFETY
919 Ala Moana Boulevard, 4th Floor
Honolulu, Hawaii 96814

CLAYTON A. FRANK
DIRECTOR

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Deputy Director
Administration

TOMMY JOHNSON
Deputy Director
Corrections

JAMES L. PROPOTNICK
Deputy Director
Law Enforcement

No. _____

TESTIMONY ON SENATE BILL 2163
A BILL FOR AN ACT RELATING TO
RELATING TO THE PRACTICE OF NURSING

by
Clayton A. Frank, Director
Department of Public Safety

COMMITTEE ON HEALTH
Senator David Y. Ige, Chair
Senator Josh Green M.D., Vice Chair

Wednesday, February 3, 2010, 3:00 pm
State Capitol, Room 016

Senator Ige and Members of the Committee:

The Department of Public Safety cannot support Senate Bill 2163 as it pertains to Advance Practice Registered Nurses having the authority to dispense controlled substances. Page 5, lines 12-18 of Senate Bill 2163 proposes to add the following language to section 457 Hawaii Revised Statutes "The scope of an advanced practice registered nurse includes but is not limited to advanced assessment and the diagnosis, prescription, selection, 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." The addition of this paragraph as written would authorize Advanced Practice Registered Nurses to have the ability to independently open a medical office or clinic and

have the authority to prescribe, administer, **order, maintain and dispense** controlled substances to their patients.

Section 329-1 defines the term "Dispense" in relation to a practitioner to mean to deliver a controlled substance to an ultimate user or research subject by **packaging, labeling, or compounding necessary to prepare the substance for that delivery**. A controlled substance is dispensed when:

- (2) It is compounded, prepared, labeled and packaged for delivery to the ultimate user by a practitioner acting in the usual course of his professional practice;

The Department feels that Advanced Practice Registered Nurses with prescriptive Authority should not be authorized to independently maintain a supply of controlled substances for the intent to dispense controlled substances directly to patients.

The Department recommends an amendment of Chapter 329, Hawaii Revised Statutes, Section 329-1 definition for "Advanced Practice Registered Nurse with Prescriptive Authority." The amendment would read as follows:

"Advanced Practice Registered Nurse with Prescriptive Authority," means a person licensed under section 457-8.6, who is registered under this chapter to administer, or prescribe a controlled substance under the authority and supervision of a physician registered under section 329-33. Under this section Advanced Practice Registered Nurses with Prescriptive Authority are not

authorized to request, receive, or sign for professional controlled substance samples."

The Department also feels that Advanced Practice Registered Nurses like Physician Assistants should not be authorized to recommend the medical use of marijuana. The Department recommends that section 329-121 definitions also be amended to read as follows:

"Physician" means a person who is licensed under chapter 453 and is licensed with authority to prescribe drugs and registered under section 329-32 and possesses a valid Federal Controlled Substance registration. "Physician" does not include physician's assistant or advanced practice registered nurse with prescriptive authority as described in section 453-5.3 and 457-8.6."

Thank you for the opportunity to testify on this matter.

**PRESENTATION OF THE
BOARD OF NURSING**

TO THE SENATE COMMITTEE ON HEALTH

TWENTY-FIFTH LEGISLATURE
Regular Session of 2010

Wednesday, February 3, 2010
3:00 p.m.

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

TO THE HONORABLE DAVID Y. IGE, 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 and to request an amendment to the bill based on the Board's concern.

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.

The Board is in support of Senate Bill No. 2163 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 NC SBN 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 M NPA 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

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, the Board does not support APRNs' dispensing of drugs and respectfully requests that Section 2, page 5 (lines 14-18) be amended to read as follows:

"...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, the Board of Nursing strongly supports passage of Senate Bill No. 2163 with the proposed amendment. Thank you for the opportunity to testify.



UNIVERSITY OF HAWAII SYSTEM
Legislative Testimony

Written Testimony Presented Before the
Senate Committee on Health
February 3, 2010, 3:00 p.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

SB 2163 RELATING TO THE PRACTICE OF NURSING

Chair Ige, Vice Chair Green, 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.

**Testimony Presented Before
Senate Committee on Health
February 3, 2010
3:00 p.m.
Conference Room 016
By
Barbara P. Mathews, MS, APRN, NEA-BC**

SB 2163, Relating to the Practice of Nursing

Chair Ige, Vice Chair Green and Members of the Committee:

I am pleased to provide testimony in support of SB 2163 which would update Hawai'i Revised Statutes and direct the Board of Nursing to adopt the provisions of the National Council of State Boards of Nursing (NCSBN) relating to the scope and standards of nursing practice.

This bill would allow Hawai'i to align with national guidelines and to meet the need for clarification from the healthcare community. In addition, it would advance the recent Hawai'i legislative changes to support advanced practice registered nursing in Hawai'i and increase access to healthcare services.

During this past year, I have had the opportunity to collaborate with the Board of Nursing and to participate with many stakeholders to review and provide recommendations and feedback ensuring wide representation from the healthcare community, nursing education and practicing nurses. This thoughtful process has ensured wide representation and consensus support for the bill.

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

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 7:46 AM
To: HTHTestimony
Cc: shadowrad@yahoo.com
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Mary Cameron CFNP
Organization: Individual
Address: P O Box 30873 Anahola, HI
Phone: 808-6394080
E-mail: shadowrad@yahoo.com
Submitted on: 2/2/2010

Comments:

I am strongly in agreement for the bill to be passed not requiring the physician collaborative relationship. I serve patients in an area where there are few physicians. I have had my training in a rural health family nurse practitioner program so that I can help the people living in the outlying areas. It is another barrier to have to have 2 collaborative physicians, and not unneeded to have this requirement. Nurse practitioner are educated in pharmacology. I came from Arizona and practiced there in a rural area. When I moved to Hawaii it was a step backward in my profession. Hawaii is one of the few remaining states to have these restrictions. I am looking forward to the laws changing. This will be a step forward in providing more healthcare to those in need.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 8:08 AM
To: HTHTestimony
Cc: lenora@hawaii.edu
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Lenora Lorenzo
Organization: Individual
Address: 62394 Joseph P Leong Hwy Haleiwa, Hawaii
Phone: 808 637 3073
E-mail: lenora@hawaii.edu
Submitted on: 2/2/2010

Comments:

I speak in support of this measure. Please pass bill as written. It represents evidence based research for current definitions of the practice of nursing and advanced practice nursing (APRN). It includes well written HAR to implement present statues for APRN prescriptive authority. I commend the legislators who support this measure

J. -- .

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 8:36 AM
To: HTHTestimony
Cc: margaret.maupin@wilcoxhealth.org
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Follow Up Flag: Follow up
Flag Status: Flagged

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Margaret Maupin
Organization: Individual
Address: PO Box 608 Kalaheo, HI
Phone: 808-635-2082
E-mail: margaret.maupin@wilcoxhealth.org Submitted on: 2/2/2010

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 12:01 AM
To: HTHTestimony
Cc: cristinaprokop@gmail.com
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: cristina e prokop
Organization: Individual
Address:
Phone:
E-mail: cristinaprokop@gmail.com
Submitted on: 2/2/2010

Comments:

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 10:12 AM
To: HTHTestimony
Cc: geesey@hawaii.edu
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Follow Up Flag: Follow up
Flag Status: Flagged

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Yvonne Geesey
Organization: Individual
Address: PO Box 4314 Honolulu, HI
Phone: 808-227-9361
E-mail: geesey@hawaii.edu
Submitted on: 2/2/2010

Comments:

I am an APRN in the State of Hawaii and ask that you pass SB 2163. The evolution of our nursing education, practice and policy dictates updating Hawai'i's laws and rules that govern nursing.

Mahalo,
Yvonne Geesey
American Academy of Nurse Practitioners Hawai'i State Representative

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 12:08 PM
To: HTHTestimony
Cc: matt.bishop5@hawaiiantel.net
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: MATTHEW BISHOP
Organization: Individual
Address: 94-418 Kapuahi St. #17 Mililani, HI
Phone: 808-625-9698
E-mail: matt.bishop5@hawaiiantel.net
Submitted on: 2/2/2010

Comments:

I am writing to support SB2163. The state of Hawaii would take a large step forward by adopting certain provisions of the NCSBN Model Nursing Practice Act. It would clarify many issues that are currently uncertain in our present Nursing Practice Act. This bill has been worked on for many hours with many nursing leaders in the State and it is good, solid, legislation. I urge you to support this measure.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 12:09 PM
To: HTHTestimony
Cc: alnnovak@msn.com
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Allen Novak
Organization: Individual
Address: 122 Haili Street Hilo, Hawaii
Phone: 808-934-9071
E-mail: alnnovak@msn.com
Submitted on: 2/2/2010

Comments:

This bill compliments and facilitates Act 169. Passage of SB2163 will advance Hawai'i to being in line with the National trend for Nursing Practice, and adopt National Council of State Boards of Nursing standards. Please pass this bill. Mahalo, Allen Novak, APRN-Rx BC

2 Feb. 2010

Re: Senate Bill 2163

Members of the Committee:

I am an Advanced Practice Registered Nurse (APRN) living in Hawaii and practicing at a federal facility in Oahu. Working at a federal facility allows me to use a nursing license from any of the 50 states and some territories. I continue to maintain licenses in the other states (California and Arizona) despite being a full-time resident of the great state of Hawaii because of the limitations imposed on advanced practice nurses, specifically in regard to prescriptive privileges.

Restrictions placed on APRNs hinder the care I can provide to Hawaii residents, and I'm certain many of my colleagues would agree. For example, providing a widely-used opioid drug such as hydrocodone, which in most instances is compounded with acetaminophen, also known as Tylenol(R), requires a prescription from our physician colleagues, who are frequently busy with patients and must be interrupted for a signature.

We are busy, our patients are busy, and this type of hurdle merely makes for longer wait times without significantly impacting public safety. The practice of APRNs should be on par with our physician assistant colleagues, who have no such barriers. My training and practice on the Mainland has included narcotic drugs and other controlled substances, which is a barrier to care our patients in Hawaii do not need.

I urge approval of Senate Bill 2163.

Sincerely,



Craig Y. Fujii, RN, MSN, APRN
98-450 Koauka Loop #1903
Aiea, HI 96701

HI APRN-1084, Rx-263

Thank you for the opportunity to speak in support of SB2163. This bill essentially supports the continued effort toward enhanced accessibility to comprehensive health care for all of our communities. In particular, it enhances the ability of RNs to provide health care services and as usual they will continue to do so in a system of care that directly addresses the needs of patients, including individuals, families, and groups throughout our "health" state. The impact of this will likely be readily experienced in our most rural areas, including where I hail from, the Big Island, which while having the highest rates of chronic health and mental health problems in Hawaii also has insufficient numbers of providers.

As you are aware, nurses are in roles in the delivery and collaborative health care services, particularly in medically-underserved and rural areas of our state where providers are in scarce supply. Nurses, along with advanced practice nurses in particular have demonstrated quality in the provision of safe, effective care that meets the National Committee for Quality Assurance (NCQA) standards.

This legislation is extremely important because it will strengthen Hawaii's health care safety net and prevent thousands of medically and psychiatrically underserved patients from losing access to much needed primary care services. This bill does not entail major system changes or incur additional costs.

Mahalo,

Beth Ananda-Stout

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2010 8:07 PM
To: HTHTestimony
Cc: wailua@aya.yale.edu
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Wailua Brandman APRN-Rx BC
Organization: Individual
Address: 615 Piikoi Street, Suite 1509 Honolulu, HI 96814
Phone: 8082554442
E-mail: wailua@aya.yale.edu
Submitted on: 2/1/2010

Comments:

This bill needs to pass in order for Act 169 to be fully implemented, i.e., the old rules need to be repealed and replaced. Bringing Hawai'i in line with the National trend for Nursing Practice is needed and this bill will accomplish that. Please pass this bill.
Mahalo, Wailua Brandman APRN-Rx BC

TO:

COMMITTEE ON HEALTH
Senator David Y. Ige, Chair
Senator Josh Green, M.D., Vice Chair

DATE: Wednesday, February 3, 2010

TIME: 3:00 pm

PLACE: Conference Room 016
State Capitol

FROM: Dr. Linda Beechinor,
Registered Nurse (RN)
Doctor of Nursing Practice (DNP),
Advanced Practice Registered Nurse with Prescriptive Authority
(APRN-Rx),
Faculty, Graduate Nursing Programs, several U.S. Universities,
Primary Care Provider (PCP) at a community health center - Oahu

Re: SB 2163 Relating to the Practice of Nursing

Thank you for the opportunity to speak in strong support of this bill.

This bill is based on a great deal of work by the legislature, the Board of Nursing, and the broader community, to align our Nurse Practice Act with national scope and standards without compromising the power within the state of Hawaii to examine and change those, in the best interest of the people of Hawaii.

Please call on me for further information at anytime.

Dr. Linda Beechinor, APRN-Rx
500 Lunalilo Home Rd. # 27-E
Honolulu Hawaii USA 96825
phone: (808) 779-3001 fax (808) 395-7428
e-mail <L.Beechinor@hawaiiantel.net>

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 8:17 AM
To: HTHTestimony
Cc: cmukai@hawaii.edu
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Follow Up Flag: Follow up
Flag Status: Flagged

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Cecilia Mukai
Organization: Individual
Address: 27 Hualilili St. Hilo, HI 96720
Phone: 808-935-7050
E-mail: cmukai@hawaii.edu
Submitted on: 2/2/2010

Comments:

February 2, 2010

Hawaii Senate Health Committee
State Capitol
Honolulu, HI 96817
Attn: Senator David Ige, Chair
RE: Support for SB 2163

Dear Senate Health Committee,

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. 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 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 regarding Nursing Practice

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 11:15 AM
To: HTHTestimony
Cc: jane6@hawaii.edu
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Follow Up Flag: Follow up
Flag Status: Flagged

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Jane Wellman, MS, APRN
Organization: Individual
Address: 725 Kapiolani Blvd. #1011 Honolulu, HI 96813
Phone: 808-888-4512
E-mail: jane6@hawaii.edu
Submitted on: 2/2/2010

Comments:

I have read the APRN Model for Licensure, Accreditation, Certification and Education (LACE) extensively and I think the language is very good for APRNs. Please vote in favor of this bill.
Thanks

THE SENATE HEALTH COMMITTEE
Wednesday, February 3, 2010
Senate conference room 16
3:00 PM

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

TO: THE HONORABLE DAVID Y. IGE, CHAIR,
THE HONORABLE JOSH GREEN, M.D., VICE CHAIR,
AND MEMBERS OF THE COMMITTEE

My name is Amy Stone Murai and I testify in strong support of SB 2163. 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, relating to the practice of nursing. I thank the committee for their consideration and regret that I am not able to be there in person to respond to any questions.

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

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 03, 2010 7:50 AM
To: HTHTestimony
Cc: cliff56@hawaii.rr.com
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Cliff Field, M.D
Organization: Individual
Address: PO Box 208 Hawaii National Park, HI
Phone: 333-1567
E-mail: cliff56@hawaii.rr.com
Submitted on: 2/3/2010

Comments:

I support SB 2163 which repeals the collaborative relationship agreement between Nurse Practitioners and Physicians. As a physician in rural Hawaii I have found this collaborative agreement one of the biggest obstacles to have NPs provide quality medical care. In addition, many physicians I know that have signed such an agreement are well over 50 miles away from the site of care; this suggests that many feel it is just a formality needed to allow the NP to do what they have been educated.

Please do away with this needless agreement.

Mahalo.

To: Senator David Ige, Chariman
Senate Committee on Health

Members of the Senate Committee on Health

From: Nancy McGuckin

Date: February 3, 2010

Re: S.B. 2163 Relating to the Practice of Nursing

Good afternoon Senator Ige and members of the Senate Committee on Health. My name is Nancy McGuckin and I thank you for this opportunity to testify on S.B. 2163.

The bill as proposed adds six (6) sections to Chapter 457, Nurses. New language includes:

Defining the Practice of nursing

Utilizing the National Council of State Board of Nursing (NCSBN) Model Nurse Practice Act.

Utilizing the NCSBN Model Nursing Practice Act and Model Nursing Administrative Rules

With provision that if the Board finds any rule or provision inappropriate, the board is not compelled to use such.

Re-defining registered nurse

Utilizing NCSBN model language

Re-defining licensed practice nurse

Utilizing NCSBN model language

Re-defining advanced practice registered nurse

Utilizing NCSBN model language

Adding in new language on delegation

Utilizing NCSBN model language

The other definitions in Chapter 457 under 457-2 are not deleted – so within this bill we have at least two definitions of an LPN, two definitions of an RN, two definitions of an APRN.

Additionally:

1. A new broad definition of delegation of nursing tasks that rely on NCSBN policy documents. There is currently rules that cover approximately 6 pages related to delegation of nursing tasks in the community.
2. Elimination of APRN certification bodies and their specific scope of practice requirements for licensure under the Hawaii Board.
3. The bill also includes NCSBN model “definitions” to be added to Board administrative rules, unless otherwise objected to by the Board.
4. Administrative Rules, 16-89-10 – relating to collegial working relationship would be repealed.

While I appreciate the work of the Board on behalf of consumers and consumer safety, I find this bill as currently written to be duplicative, confusing at times, and providing for an over reliance on the NCSBN for direction.

The last time that the Hawaii Nurse Practice Act, Chapter, 457, was amended to such a great degree, including adding definitions of RN, LPN, delegation, etc. was more than 20 years ago. At that time the proposed language changes were discussed at great length by the entire nursing community. The proposed language before you is as significant or more so in the reliance on a national non-profit entity that defines nursing.

I am also confused as to the timing of this bill. Administrative rules are currently being worked on which implement Act 169 which was passed by the Legislature last year. These rules eliminate the collegial relationship as the Legislature directed and also adds language on delegation of nursing tasks in the same manner as proposed in this bill. The new administrative rules add in “collaboration” into the APRN and MD relationship as it relates to controlled substances which was, to my understanding, not the intent of the Legislature – the intent was to expand access to services, not curtail them unnecessarily.

I believe the bill causes confusion, not clarity, into the role and definition of nurses and nursing. I respectfully request the bill be held and that the interested parties gather together over the interim and develop language that nursing in Hawaii can agree upon.

Thank you for this opportunity to testify.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 4:04 PM
To: HTHTestimony
Cc: kohala123@msn.com
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Elizabeth Bush, APRN
Organization: Individual
Address: 64-5234 Hohoa Dr Kamuela, Hawaii
Phone: 808-885-5988
E-mail: kohala123@msn.com
Submitted on: 2/2/2010

Comments:

Please pass this bill. APRNs like myself are prepared to join the exodus of licensed health care providers from Hawaii due to the antiquated practice rules that impede service to patients. Please help us to help others.

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

Elizabeth Bush, MSN, APRN, 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>

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 03, 2010 9:17 AM
To: HTHTestimony
Cc: sotodebra@gmail.com
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Debra Soto
Organization: Individual
Address: 335 manono St Kailua, HI
Phone: 8084295447
E-mail: sotodebra@gmail.com
Submitted on: 2/3/2010

Comments:

I wholeheartedly support SB 2163. Passage of this bill will improve healthcare available to the consumer, eliminate the logjam in providing needed medical & MH services.

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2010 2:32 PM
To: HTHTestimony
Cc: twheelerinhilo@yahoo.com
Subject: Testimony for SB2163 on 2/3/2010 3:00:00 PM

Testimony for HTH 2/3/2010 3:00:00 PM SB2163

Conference room: 016
Testifier position: support
Testifier will be present: No
Submitted by: Tammy Wheeler
Organization: Individual
Address: Hilo, Hawaii
Phone: 808-769-0474
E-mail: twheelerinhilo@yahoo.com
Submitted on: 2/2/2010

Comments:

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.

Mahalo,
Tammy Wheeler, APRN-RX
Psychiatric Clinical Nurse Specialist Board Certified & Adult Nurse Practitioner