

STAND. COM. REP. NO.

Honolulu, Hawaii

FEB 20 2009

RE: S.B. No. 517
S.D. 1

292

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fifth State Legislature
Regular Session of 2009
State of Hawaii

Madam:

Your Committee on Health, to which was referred S.B. No. 517
entitled:

"A BILL FOR AN ACT RELATING TO HEALTH CARE PROFESSIONALS,"

begs leave to report as follows:

The purpose of this measure is to address issues resulting
from health care provider shortages and ensure quality health care
delivery by updating signature authority for certain medical
professionals.

Specifically, this measure permits physician assistants,
nurse practitioners, registered nurses, clinical nurse
specialists, and certified nurse midwives, who provide the actual
care, to sign certain medical certification forms for their
patients applicable to the care provided within each
practitioner's scope of practice.

Your Committee received testimony in support of this measure
from Hawaii Primary Care Association, the School of Nursing and
Dental Hygiene of the University of Hawaii at Manoa, the
Occupational Therapy Association of Hawaii, and one individual.
Your Committee received testimony in opposition to this measure
from the Board of Nursing, the Hawaii Association for Professional
Nurses, and one individual. Comments on this measure were
received from the Hawaii Medical Board and Kaiser Permanente.

Copies of written testimony are available for review on the
Legislature's website.

2009-1209 SSCR SMA.doc



Your Committee finds that certified registered nurse anesthetists, clinical nurse specialists, and certified nurse midwives are recognized by state boards of nursing in all fifty states as advanced practice registered nurses. Further, providing registered nurses with signature authority was not the intent of the measure.

Accordingly, your Committee has amended this measure by adopting the recommendations of the Board of Nursing by:

- (1) Clarifying that all advanced practice registered nurses who provide the actual care, may sign certain medical certification forms for their patients applicable to the care provided within each practitioner's scope of practice;
- (2) Removing the authority of registered nurses to sign certain medical certification forms;
- (3) Clarifying that the documents that are authorized to be signed are those within each practitioner's scope of practice, and not limited to only those listed in the measure; and
- (4) Changing the effective date to July 1, 2050 to encourage further discussion on this matter.

Your Committee has further amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and style.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 517, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 517, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.



Respectfully submitted on
behalf of the members of the
Committee on Health,

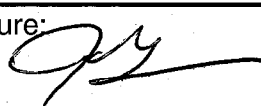
David Y. Ige

DAVID Y. IGE, Chair



The Senate
Twenty-Fifth Legislature
State of Hawaii

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 517	HTH CPN	2/13/9		
<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
IGE, David Y. (C)	✓			
GREEN, M.D., Josh (VC)	✓			
BAKER, Rosalyn H.	✓			
ESPERO, Will				✓
NISHIHARA, Clarence K.	✓			
HEMMINGS, Fred	✓			
TOTAL	5	0	0	1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes

Report Title:

Certain Health Care Professionals; Authority to Sign

Description:

Allows nurse practitioners, advanced practice registered nurses, and physician assistants, who provide the actual care, to sign certain medical certification forms for their patients applicable to the care provided within each practitioner's scope of practice. (SD1)

A BILL FOR AN ACT

RELATING TO HEALTH CARE PROFESSIONALS.

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

1 SECTION 1. The legislature finds that nurse practitioners,
2 advanced practice registered nurses, and physician assistants
3 are often asked by their patients to complete and sign medical
4 certifications for various purposes including physical
5 examinations, handicapped parking permits, physical and speech
6 therapy forms, and financial assistance certifications. Current
7 Hawaii law allows only physicians to sign documents attesting to
8 their patients' health, capabilities, or medical needs. Often,
9 a physician who did not provide care to the patient must be
10 found to sign these documents. At times, a physician cannot be
11 located causing difficulties for patients.

12 The legislature further finds that nurse practitioners,
13 advanced practice registered nurses, and physician assistants
14 provide a wide variety of health care to the people in this
15 State. Allowing these health care professionals to sign certain
16 medical certification documents will enable them to expedite the
17 processing of paperwork and provide optimal care at the first

1 point of access for their patients, especially in rural and
2 underserved areas.

3 The purpose of this Act is to permit physician assistants,
4 nurse practitioners, and advanced practice registered nurses,
5 including certified registered nurse anesthetists, clinical
6 nurse specialists, and certified nurse midwives, who provide the
7 actual care, to sign certain medical certification forms for
8 their patients applicable to the care provided within each
9 practitioner's scope of practice.

10 SECTION 2. Chapter 453, Hawaii Revised Statutes, is
11 amended by adding a new section to be appropriately designated
12 and to read as follows:

13 **"§453- Physician assistant; power to sign certain**
14 **documents.** A physician assistant licensed under this chapter is
15 authorized to sign the following documents relating to patients
16 to whom the physician assistant provides actual care within that
17 practitioner's scope of practice:

- 18 (1) Certification of psychiatric medical condition of the
19 parents of a child applicant for aid from the
20 temporary assistance for needy families program;
- 21 (2) Evaluation forms for Hansen's disease patients;
- 22 (3) Orders for physical therapy and plans of care;

- 1 (4) Pharmacist orders to assist in monitoring and
- 2 management of anticoagulation anemia and atrial
- 3 fibrillation;
- 4 (5) Orders for speech therapy and plans of care;
- 5 (6) Applications for bracelets indicating compassionate
- 6 care only;
- 7 (7) Admissions applications for foster homes;
- 8 (8) Dietary consultations forms;
- 9 (9) Applications for handicapped parking permits; and
- 10 (10) Medicaid application forms for nursing care facility
- 11 admission."

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

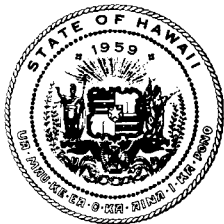
15 "§457- Nurse practitioner; advanced practice registered
 16 nurse; power to sign certain documents. Each nurse practitioner
 17 and advanced practice registered nurse, including certified
 18 registered nurse anesthetists, certified nurse midwives, and
 19 clinical nurse specialists, licensed under this chapter is
 20 authorized to sign documents relating to patients to whom the
 21 nurse practitioner or advanced practice registered nurse

1 provides actual care within each practitioner's scope of
2 practice, including:

- 3 (1) Certification of psychiatric medical condition of the
4 parents of a child applicant for aid from the
5 temporary assistance for needy families program;
6 (2) Evaluation forms for Hansen's disease patients;
7 (3) Orders for physical therapy and plans of care;
8 (4) Pharmacist orders to assist in monitoring and
9 management of anticoagulation anemia and atrial
10 fibrillation;
11 (5) Orders for speech therapy and plans of care;
12 (6) Applications for bracelets indicating compassionate
13 care only;
14 (7) Admissions applications for foster homes;
15 (8) Dietary consultations forms;
16 (9) Applications for handicapped parking permits; and
17 (10) Medicaid application forms for nursing care facility
18 admission."

19 SECTION 4. New statutory material is underscored.

20 SECTION 5. This Act shall take effect on July 1, 2050.



DISABILITY AND COMMUNICATION ACCESS BOARD

919 Ala Moana Boulevard, Room 101 • Honolulu, Hawaii 96814
Ph. (808) 586-8121 (V/TDD) • Fax (808) 586-8129

March 3, 2009

TESTIMONY TO THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senate Bill 517, Senate Draft 1 – Relating to Health Care Professionals

The Disability and Communication Access Board (DCAB) is a statewide board with seventeen (17) members appointed by the Governor, thirteen (13) of whom are persons with disabilities or family members. The Board's mission is to advocate and promote full inclusion, independence, equal access, and quality of life for persons with disabilities in society. This testimony represents a position voted upon by the Legislative Committee of the Board.

DCAB opposes extending the authority to sign applications for parking permits for persons with disabilities to the list of health care professionals mentioned in this bill. We recommend deleting line 9 on page 3. We have no comment on other portions of this bill.

Thank you for the opportunity to testify on this important matter.

Respectfully submitted,

CHARLES W. FLEMING
Chairperson

FRANCINE WAI
Executive Director

**PRESENTATION OF THE
HAWAII MEDICAL BOARD**

TO THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

TWENTY-FIFTH LEGISLATURE
Regular Session of 2009

Tuesday, March 3, 2009
9:30 a.m.

**WRITTEN COMMENTS ON SENATE BILL NO. 517, S.D. 1, RELATING TO HEALTH
CARE PROFESSIONALS.**

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to provide written comments on S.B. No. 517, S.D. 1, Relating to Health Care Professionals. The purpose of this bill is to allow nurse practitioners, clinical nurse specialists, certified nurse midwives, and physician assistants to sign certain medical certification forms for their patients applicable to the care provided within each practitioner's scope of practice.

The Hawaii Medical Board ("Board") supports the intent of this bill with respect to its applicability to physician assistants.

Thank you for the opportunity to provide written comments on S.B. No. 517, S.D. 1.

**PRESENTATION OF THE
BOARD OF NURSING**

TO THE SENATE COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

TWENTY-FIFTH LEGISLATURE
Regular Session of 2009

Tuesday, March 3, 2009
9:30 a.m

**WRITTEN COMMENTS ON SENATE BILL NO. 517, S.D. 1, RELATING TO HEALTH
CARE PROFESSIONALS.**

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Kathy Yokouchi. I am the Executive Officer of the Board of Nursing ("Board"). I appreciate the opportunity to present written comments on behalf of the Board in opposition to Senate Bill No. 517, S.D. 1.

The purpose of this measure is to allow nurse practitioners ("NP"), advanced practice registered nurses ("APRN"), including certified registered nurse anesthetists ("CRNA"), clinical nurse specialists ("CNS"), certified nurse midwives ("CNM"), and physician assistants to sign certain medical certification forms for their patients applicable to the care provided within each practitioner's scope of practice.

The Board has the following concerns with this measure:

- NP, CRNA, CNS, and CNM are four categories that fall under the heading of APRN. It is confusing to refer to the categories and to APRN. The Board feels that a reference to APRN would suffice.
- Listing in statute the types of documents which APRN can sign would require the Board to petition the Legislature to amend the law as changes in the type of documents APRN can sign occur over time.

In conclusion, the Board believes that APRNs should be able to sign documents that are applicable to the care provided within each practitioner's scope without the need to codify this issue in law. The Board respectfully requests consideration of its concerns and asks that this measure be held.

Thank you for the opportunity to present comments on Senate Bill No. 517,
S.D. 1.



Hawai'i Primary Care Association

345 Queen Street | Suite 601 | Honolulu, HI 96813-4718 | Tel: 808.536.8442 | Fax: 808.524.0347
www.hawaiipca.net

To: **The Senate Committee on Commerce and Consumer Protection**
The Hon. Rosalyn H. Baker, Chair
The Hon. David Y. Ige, Vice Chair

Testimony in Support of Senate Bill 517
Relating to Health Care Professionals
Submitted by Beth Giesting, CEO
March 03, 2009 9:30 a.m. agenda, Room 229

The Hawaii Primary Care Association asks your support for this bill which would allow nurse practitioners to complete fairly routine paperwork for patients, thus making them much more useful as providers in primary care and other settings.

We find that nurse practitioners are excellent clinicians who earn very high marks for clinical quality and patient satisfaction. In addition, with shortages in physicians and financial resources, Hawaii would be well-served to allow NPs to take on the responsibilities outlined in the bill as a regular part of their work.

Thank you for the opportunity to add our support to this measure.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA
Executive Director
Tel: 808.543.0011
Fax: 808.528.0922

NORA A. NOMURA
Deputy Executive Director
Tel: 808.543.0003
Fax: 808.528.0922

DEREK M. MIZUNO
Deputy Executive Director
Tel: 808.543.0055
Fax: 808.523.6879

**The Twenty-Fifth Legislature, State of Hawaii
Hawaii State Senate
Committee on Commerce and Consumer Protection**

**Testimony by
Hawaii Government Employees Association
March 3, 2009**

**S.B. 517, S.D. 1 (SSCR290) –
RELATING TO HEALTH CARE
PROFESSIONALS**

The Hawaii Government Employees Association supports the purpose and intent of S.B. 517, S.D. 1 (SSCR290). This bill allows nurse practitioners, clinical nurse specialists, certified nurse midwives and physician assistants who provide actual care, the authority to sign certain medical certification forms for their patients applicable to the care provided within the practitioner's scope of practice.

This proposed bill will allow these health care professionals to expedite the processing of the paperwork and provide optimal care at the first point of access for their patients, especially in rural and underserved areas.

Thank you for the opportunity to submit our written comments in support of S.B. 517, S.D. 1 (SSCR290).

Respectfully submitted,

Nora A. Nomura
Deputy Executive Director



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA

Executive Director

Tel: 808.543.0011

Fax: 808.528.0922

NORA A. NOMURA

Deputy Executive Director

Tel: 808.543.0003

Fax: 808.528.0922

DEREK M. MIZUNO

Deputy Executive Director

Tel: 808.543.0055

Fax: 808.523.6879

The Twenty-Fifth Legislature, State of Hawaii
Hawaii State Senate
Committee on Commerce and Consumer Affairs

Testimony by
Hawaii Government Employees Association
March 3, 2009

S.B. 1045, S.D. 1 (SSCR296) --
RELATED TO ADVANCED
PRACTICE REGISTERED
NURSES

The Hawaii Government Employees Association supports the purpose and intent of S.B. 1045, S.D. 1 (SSCR296). This bill will require health insurers, mutual benefit societies and health maintenance organizations to recognize advanced practice registered nurses as primary care providers.

This bill would expedite the provision of quality health care to the insured.

Thank you for the opportunity to submit our comments in support of S.B. 1045, S.D. 1 (SSCR296).

Respectfully submitted,

Nora A. Nomura
Deputy Executive Director



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION

AFSCME Local 152, AFL-CIO

RANDY PERREIRA
Executive Director
Tel: 808.543.0011
Fax: 808.528.0922

NORA A. NOMURA
Deputy Executive Director
Tel: 808.543.0003
Fax: 808.528.0922

DEREK M. MIZUNO
Deputy Executive Director
Tel: 808.543.0055
Fax: 808.523.6879

The Twenty-Fifth Legislature, State of Hawaii
Hawaii State Senate
Committee on Commerce and Consumer Affairs

Testimony by
Hawaii Government Employees Association
March 3, 2009

S.B. 1217 (SSCR306) --
RELATED TO HEALTH CARE
PROFESSIONALS

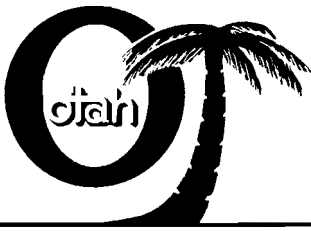
The Hawaii Government Employees Association supports the purpose and intent of S.B. 1217 (SSCR306). This bill allows an advanced practice registered nurse who provides care to a patient who is requesting a medical certification form, the authority to sign certification forms applicable to the care provided that is within the registered nurse's scope of practice.

This bill will be beneficial to the patient as it will expedite processing of the required paperwork and provide optimal care at the first point of access. This would be especially beneficial in rural and underserved areas.

Thank you for the opportunity to submit our comments in support of S.B. 1217 (SSCR306).

Respectfully submitted,

Nora A. Nomura
Deputy Executive Director



OCCUPATIONAL THERAPY ASSOCIATION OF HAWAII

1360 S. Beretania St., Suite 301, Honolulu, Hawaii 96814

Testimony by:
Virginia Tully, OTR, MBA
SB 517sd1, Health Care Professionals
Sen. CPN Hearing – Tuesday, March 3, 2009
Room 229 – 9:30 am

Position: Support, With Proposed Amendments

Chair Baker, and Members of the Senate CPN Committee:

I am Virginia Tully, OTR, and past-president of the Occupational Therapy Association of Hawaii, (OTAH), which represents 507 occupational therapists (OTs) licensed in Hawaii. OT's work in many settings throughout the State, including hospitals, schools, and prisons, to private facilities and community programs. We work with very young children, ages 0-3, as well as school aged children, adults, and the elderly, seeking to restore or develop social-emotional, physical, cognitive, communication and adaptive behavior challenges.

Through understanding of the effect of the consumer's disability, illness and impairment, the occupational therapist develops a program that will promote development and establish needed skills to be independent in daily living activities. Daily living skills include self-care such a bathing, dressing, and skills required for learning, work or social interaction. Often times, OTs must design/fabricate special devices or suggest modification to the home environment.

We support this measure because it will expedite referrals for rehabilitation services. Rehabilitation services include physical therapy, occupational therapy and speech therapy. As such, the following amendments are offered (underlined and bold text are recommended changes):

- Page 1, line 5, “..physical and **occupational therapies** and speech therapy forms..”
- Page 2, line 22, “(3). Orders for **physical and occupational therapies** and plans of care;”
- Page 4, line 7, “(3). Orders for physical therapy **and occupational therapy**, and plans of care;”

An individual who has sustained a neurological or orthopedic impairment or medical condition impairing function, may require one, two or all three of the rehabilitative services.

Thank you for the opportunity to submit testimony. I can be reached at 544-3336 if further information is needed.