

STAND. COM. REP. NO.

1198

Honolulu, Hawaii

APR 08 2011

RE: H.B. No. 484

S.D. 2

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 484, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES,"

begs leave to report as follows:

The purpose and intent of this measure is to require hospitals within the State to allow advanced practice registered nurses to practice within the full scope of licensure, including as a primary care provider.

Your Committee received testimony in support of this measure from the Board of Nursing, Hawaii State Center for Nursing, Hawaii Medical Service Association, Kaiser Permanente, Hawaii Long Term Care Association, American Academy of Nurse Practitioners, Hawai'i Association of Professional Nurses, Hawaii Association of Nurse Anesthetists, the University of Hawai'i System, and twenty-two private individuals. Your Committee received comments on this measure from the Healthcare Association of Hawaii.

Your Committee finds that advanced practice registered nurses are educationally prepared to assume responsibility and accountability for health promotion and maintenance as well as the assessment, diagnosis, and management of patients, including through the use of prescription pharmacological and nonpharmacological interventions. Your Committee also finds that advanced practice registered nurses have proven themselves to have clinical experience of sufficient breadth and depth to practice



safely within their specialties, including by prescribing drugs appropriate to their practice area. Your Committee further finds that advanced practice registered nurses are important providers of health care, especially in the context of Hawaii's documented shortage of qualified health care providers. Your Committee notes that advanced practice registered nurses currently serve in a variety of roles within the health care system, including some that do not utilize every aspect of the full scope of practice available to an advanced practice registered nurse. Your Committee finds that this measure is not intended to disrupt the current employment of advanced practice registered nurses who choose to serve in those important positions.

Accordingly, your Committee finds that some provisions of the current statute governing prescriptive authority for advanced practice registered nurses are inconsistent with the Legislature's recognition of advanced practice registered nurses' role as primary care providers. Your Committee further finds that advanced practice registered nurses are qualified to be personally accountable for their practice, have safely prescribed drugs appropriate to their specialties for fifteen years, and therefore should be authorized to prescribe independently provided drugs appropriate to their practice area.

Your Committee has amended this measure by:

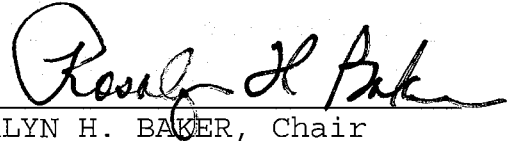
- (1) Adding a new section that amends the statute governing prescriptive authority for advanced practice registered nurses by:
 - (A) Deleting provisions related to an exclusionary formulary for advanced practice registered nurses with prescriptive authority; and
 - (B) Adding a new provision to authorize advanced practice registered nurses with prescriptive authority to request, receive, and dispense manufacturers' samples of over the counter and non-controlled legend drugs;
- (2) Making it effective upon its approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.



Your Committee finds that this measure, as amended, will increase access to medical services throughout the State by ensuring that providers already practicing within the community are able to practice within the full scope of their statutorily-granted authority.

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 H.B. No. 484, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 484, 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-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

| | | | | |
|---|---|---------------------------------------|----------------------------------|---------|
| Bill / Resolution No.:* | Committee Referral: | Date: | | |
| HB 484, SDI | HTH, CPN | 4/1/2011 | | |
| <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) | ✓ | | | |
| TANIGUCHI, Brian T. (VC) | ✓ | | | |
| GALUTERIA, Brickwood | | | | ✓ |
| GREEN, M.D., Josh | | | | ✓ |
| NISHIHARA, Clarence K. | ✓ | | | |
| SOLOMON, Malama | | | | ✓ |
| SLOM, Sam | ✓ | | | |
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| TOTAL | 4 | 0 | 0 | 3 |
| Recommendation: | | | | |
| <input checked="" type="checkbox"/> Adopted | | <input type="checkbox"/> Not Adopted | | |
| Chair's or Designee's Signature: | | | | |
|  | | | | |
| Distribution: | | | | |
| Original File with Committee Report | Yellow Clerk's Office | Pink Drafting Agency | Goldenrod Committee File Copy | |

*Only one measure per Record of Votes