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# A BILL FOR AN ACT

RELATING TO HEALTH.

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

1           SECTION 1. The legislature finds that physician  
2 assistants, licensed practical nurses, and registered nurses  
3 provide valuable medical care to patients under the orders of  
4 licensed physicians. Licensed practical nurses and registered  
5 nurses currently must use reasonable judgment in carrying out  
6 the prescribed medical orders of a licensed dentist, medical  
7 doctor, osteopathic physician, or podiatrist, or the orders of  
8 an advanced practice registered nurse. The legislature also  
9 finds that the relevant statutory language fails to explain  
10 whether licensed practical nurses and registered nurses are  
11 required to administer orders given by physician assistants.  
12 That lack of clarity has led to confusion between hospital  
13 administrators and nurses when physician assistants write or  
14 give verbal orders in a hospital setting.

15           The purpose of this Act is to clarify that licensed  
16 practical nurses and registered nurses are required to use  
17 reasonable judgment in carrying out the orders of a licensed



1 physician assistant practicing with physician supervision, and  
2 acting as an agent of the supervising physician.

3 SECTION 2. Section 457-2, Hawaii Revised Statutes, is  
4 amended by amending the definitions of "the practice of nursing  
5 as a licensed practical nurse" and "the practice of nursing as a  
6 registered nurse" to read as follows:

7 "The practice of nursing as a licensed practical nurse"  
8 means the performance of those acts commensurate with the  
9 required educational preparation and demonstrated competency of  
10 the individual, whereby the individual shall be accountable and  
11 responsible to the consumer for the quality of nursing care  
12 rendered. The foregoing may include, but shall not be limited  
13 to: implementation of basic nursing procedures in the plan of  
14 care; observing and caring for individuals at all levels of the  
15 health spectrum, giving counsel and acting to safeguard life and  
16 health and functioning as a part of the health care team, under  
17 the direction of a dentist, physician, osteopathic physician,  
18 registered nurse, or podiatrist licensed in accordance with  
19 chapter 448, 453, 457, or 463E[+], or under the orders of a  
20 physician assistant licensed pursuant to chapter 453, practicing  
21 with physician supervision as required by chapter 453, and  
22 acting as the agent of the supervising physician; administration



1 of treatment and medication as prescribed; promotion of health  
2 maintenance of individuals, families, or groups; or teaching and  
3 supervision of auxiliary personnel.

4 "The practice of nursing as a registered nurse" means the  
5 performance of professional services commensurate with the  
6 educational preparation and demonstrated competency of the  
7 individual having specialized knowledge, judgment, and skill  
8 based on the principles of the biological, physical, behavioral,  
9 and sociological sciences and nursing theory, whereby the  
10 individual shall be accountable and responsible to the consumer  
11 for the quality of nursing care rendered. The foregoing may  
12 include but shall not be limited to observation, assessment,  
13 development, implementation, and evaluation of a plan of care,  
14 health counseling, supervision and teaching of other personnel,  
15 and teaching of individuals, families, and groups in any stage  
16 of health or illness; administration, supervision, coordination,  
17 delegation, and evaluation of nursing practice; provision of  
18 health care to the patient in collaboration with other members  
19 of the health care team as autonomous health care professionals  
20 providing the nursing component of health care; or use of  
21 reasonable judgment in carrying out prescribed medical orders of  
22 a licensed dentist, physician, osteopathic physician, or



1 podiatrist licensed in accordance with chapter 448, 453, or 463E  
2 [~~or the~~]; orders of an advanced practice registered nurse  
3 recognized in accordance with this chapter~~[-]~~; or the orders of  
4 a physician assistant licensed pursuant to chapter 453,  
5 practicing with physician supervision as required by chapter  
6 453, and acting as the agent of the supervising physician."

7 SECTION 3. This Act does not affect rights and duties that  
8 matured, penalties that were incurred, and proceedings that were  
9 begun before its effective date.

10 SECTION 4. Statutory material to be repealed is bracketed  
11 and stricken. New statutory material is underscored.

12 SECTION 5. This Act shall take effect upon its approval  
13 and shall be repealed on July 1, 2017; provided that the  
14 definitions of "the practice of nursing as a licensed practical  
15 nurse" and "the practice of nursing as a registered nurse" under  
16 section 457-2, Hawaii Revised Statutes, shall be reenacted in  
17 the form in which they read on the day prior to the effective  
18 date of this Act.



**Report Title:**

Health; Licensed Practical Nurse; Registered Nurse; Physician Assistant

**Description:**

Amends the definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse" to include carrying out the orders of a licensed physician assistant practicing with physician supervision as required by chapter 453, HRS, and acting as an agent of the supervising physician. (CD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

