# PRESENTATION OF THE BOARD OF NURSING

# TO THE HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

TWENTY-SIXTH LEGISLATURE Regular Session of 2012

Monday, April 2, 2012 2:00 p.m.

TESTIMONY ON SENATE BILL NO. 2103, S.D. 2, H.D. 1, RELATING TO HEALTH.

TO THE HONORABLE ROBERT N. HERKES, CHAIR, AND MEMBERS OF THE COMMITTEE:

My name is Lee Ann Teshima, Executive Officer for the Board of Nursing ("Board"). I appreciate the opportunity to testify on Senate Bill No. 2103, S.D. 2, H.D. 1, Relating to Health. The Board has **no objections** to the proposed amendments to the definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse" that would allow both a licensed practical nurse and a registered nurse, to carry out the prescribed medical orders of a physician, delivered through a physician assistant who is acting as an agent of the supervising physician.

In current practice, licensed practical nurses may "function" as part of a health care team, under the direction of a dentist, physician, osteopathic physician, registered nurse, osteopath, or podiatrist licensed in accordance with chapter 448, 453, 457, 460, or 463E. Registered nurses, using reasonable judgment, are able to carry out the prescribed medical orders of a physician, delivered through a physician assistant who is acting as an agent of the supervising physician.

Consequently, although current practice allows the licensed practical nurse and registered nurse to carry out the prescribed medical orders of a physician through a

Testimony on Senate Bill No. 2103, S.D. 2, H.D. 1 Monday, April 2, 2012 Page 2

physician assistant who is acting as an agent of the supervising physician, the Board does recognize that the proposed amendment would clarify this practice and therefore has no objections.

Thank you for the opportunity to testify on Senate Bill No. 2103, S.D. 2, H.D. 1.

Written Testimony Presented Before the
House Committee on Consumer Protection and Commerce
April 2, 2012, 2:00 p.m.
by
Gail P. Tiwanak, RN, MBA
Executive Director
Hawaii State Center for Nursing

# SB 2103, SD2, HD1 RELATING TO HEALTH

Chair Herkes, Vice Chair Yamane, and members of the House Committee on Consumer Protection and Commerce, thank you for this opportunity to provide testimony in support of this bill, SB 2103, SD2, HD1. This measure amends the definition of "the practice of nursing as a registered nurse" in Section 457-2, Hawai'i Revised Statutes by adding the requirement that practical and registered nurses carry out the orders of a physician that are delivered through a physician assistant acting as an agent of the supervising physician.

The Hawaii State Center for Nursing supports this provision as it clarifies that the physician assistant acts as the physician's conduit who conveys the physician's orders to the registered nurse and that at no time is the physician assistant acting independently.

For these reasons we support this bill. Thank you for the opportunity to testify.

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Monday, April 02, 2012 12:15 AM

To: CPCtestimony

Cc: wailua@aya.yale.edu

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No

Submitted by: Wailua Brandman APRN-Rx BC FAANP

Organization: Hawaii Association of Professional Nurses

E-mail: wailua@aya.yale.edu

Submitted on: 4/2/2012

#### Comments:

Corrected for typo in previous submission

Rep. Robert N. Herkes, Chair, Rep. Ryan I. Yamane, Vice Chair and members of the House Consumer Protection Committee, thank you for this opportunity to testify in support of SB2103, ONLY if it includes the following amendment to Section 2: Delete section 2 in its entirety as it is currently written and substitute the following:

#### Section 2

&#167;453-5.5 Physician assistant: authority to sign documents, is amended by adding:

(10) Medical Orders for nursing care for which the nurse may apply reasonable judgment in carrying out such orders

The rationale for this amendment is that the Physician Assistants have their own limited practice act in HRS453-5.3 through 5.5, as extensions of the supervising physician. Their authority is necessarily laid out therein. We find it inappropriate to insert their authority into the Nurse Practice Act, HRS457, especially since LPNs and RNs currently and consistently carry out their orders, exclusive of an isolated incident which could have been resolved by hospital policy rather than state statute. We are confident that our proposed amendment will solve the employer issue.

We support the proposed Section 3, as submitted by Dean Mary Boland of the UHSONDH.

We thank you for your consideration of this rational change to SB2103, and urge you to pass this bill with our proposed amendment.

Thank you for all your support of patients' access to quality, cost-effective care and nursing's endeavors to supply that care to all.

Warmest Aloha,

Wailua Brandman APRN-Rx BC FAANP Immediate Past President and Legislative Committee Chair Hawaii Association of Professional Nurses



#### HAWAII MEDICAL ASSOCIATION

1360 S. Beretania Street, Suite 200, Honolulu, Hawaii 96814 Phone (808) 536-7702 Fax (808) 528-2376 www.hmaonline.net

TO: COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Robert N. Herkes, Chair Rep. Ryan I. Yamane, Vice Chair

DATE: Monday, April 2, 2012

TIME: 2:00 pm

**PLACE: Conference Room 325** 

From: Hawaii Medical Association

Dr. Roger Kimura, MD, President

Linda Rasmussen, MD, Legislative Co-Chair Dr. Joseph Zobian, MD, Legislative Co-Chair Dr. Christopher Flanders, DO, Executive Director Lauren Zirbel, Community and Government Relations

Re: SB 2103 RELATING TO HEALTH.

In Support

Chairs & Committee Members:

Hawaii Medical Association supports this measure.

This bill serves only to clarify that nurses can execute orders written by physician assistants acting within their scope of practice, as agents of their supervising physicians as per section 168544.5, Hawaii Administrative Rules, "[a] physician assistant may perform those duties and responsibilities delegated by the physician assistant's supervising physician.

It does not increase or expand current existing physician assistant scope of practice.

Furthermore, under section §16-85-49.1 Scope of practice.

- (a) A physician assistant shall be considered the agents of the physician assistant's supervising physician in the performance of all practice-related activities as established in writing by the employer.
- (b) Medical services rendered by the physician assistants may include, but are not limited to:
- (1) Obtaining patient histories and performing physical examinations;
- (2) Ordering, interpreting, or performing diagnostic and therapeutic procedures...

Because the historical process of licensing and regulating the scopes of practice of physician assistants and of registered nurses has developed independently for the two health care disciplines, the relevant regulatory language pertaining to their respective Officers

PRESIDENT - ROGER KIMURA, MD, PRESIDENT ELECT - STEVE KEMBLE, MD

Immediate Past President – Morris mitsunaga, MD, Secretary - Thomas Kosasa, MD, Treasurer – Walton Shim, MD, Executive Director – Christopher Flanders, DO

responsibilities with regard to each is unclear, specifically with regard to nurses administering orders given by physician assistants and has led to a lack of clarity between hospital administrators and nurses when physician assistants write or give verbal orders in the hospital setting.  $\Box$ 

The Board of Nursing, in its Minutes of Meeting, dated November 7, 2003, at pages 5-6, addressed the issue of "Nurses Taking Orders from Physician Assistants (§457-2, HRS) (§16-85-49.1(b)(2), HAR)." The meeting minutes reflect the Board of Nursing's conclusion: "The Board agrees that the law allows a PA, as an agent of the supervising physician, to order procedures which presumably a registered nurse should be able to take and fulfill."

The amendment to Chapter 457-2, Hawaii Revised Statutes simply amends the statute to indicate what the nursing board has already opined, that nurses can execute orders given by physician assistants acting as agents of their supervising physician... or utilization of reasonable judgment in carrying out prescribed medical orders of a licensed dentist, medical doctor, osteopath, or podiatrist licensed in accordance with chapter 448, 453, 460, or 463E or the orders of an advanced practice registered nurse recognized in accordance with this chapter or a physician assistant licensed in accordance with chapter 453 and practicing with physician supervision as required by chapter 453.

Alleviating any confusion on this issue will allow for improved and expedited health care delivery in the hospital setting and will further serve to indemnify nurses who execute orders written by physician assistants acting as agents of their supervising physicians. Thank you for this opportunity to testify.

# Hawaii Academy of Physician Assistants (HAPA)

RE: SB 2103 SD2 HD1

Committee for Consumer Protection and Commerce Monday, 4/2/2012 2:00 PM Conference Room 325

Representative Robert N. Herkes – Chair Representative Ryan I. Yamane – Vice Chair

Honorable Chairpersons and Members of the Committee:

The Hawaii Academy of Physician Assistants strongly supports passage of SB2103 SD2 HD1.

The amended language accurately reflects the rules regarding physician assistant practice.

This bill will clarify what the nursing board has stated in opinion: The Board of Nursing, in its Minutes of Meeting, dated November 7, 2003, at pages 5-6, addressed the issue of "Nurses Taking Orders from Physician Assistants (§457-2, HRS) (§16-85-49.1(b)(2), HAR)." The meeting minutes reflect the Board of Nursing's conclusion: "The Board agrees that the law allows a PA, as an agent of the supervising physician, to order procedures which presumably a registered nurse should be able to take and fulfill."

The following rules from HAR chapter 85 support that PAs are licensed to practice medicine with physician supervision and that they can order diagnostic and therapeutic procedures and write orders for medications.

Physicians preauthorize PAs to perform practice specific duties in writing which are kept in the PA practice agreement or hospital credentials. PAs are ordering diagnostic or therapeutic procedures and/or medications as per the preauthorized practice agreement within their scope of practice.

As per HAR Chapter 85, §16-85-44.5 Definition. "Physician assistant" means an individual who has been <u>certified by the</u> board to practice medicine with physician supervision.

§16-85-49.1 Scope of practice. (a) A physician assistant shall be considered the agents of the physician assistant's supervising physician in the performance of all practice-related activities as established in writing by the employer.

(b) Medical services rendered by the physician assistants may include, but are not limited to:

- (1) Obtaining patient histories and performing physical examinations;
- (2) Ordering, interpreting, or performing diagnostic and therapeutic procedures; ...
- §16-85-49 (8) (D) A physician assistant employed or extended privileges by a hospital or extended care facility may, if allowed under the bylaws, rules, and regulations of the hospital or extended care facility, write orders for medications Schedule II through V, for inpatients under the care of the supervising physician;

It should be noted that Section 457-2, Hawaii Revised Statutes was amended in 2009 to include APRNs in the definition of providers that registered nurses could carry out prescribed medical orders from. Physician assistants are the only licensed providers authorized to write orders that are not currently listed in the statute. This amendment will clarify what the nursing board has stated in opinion, "that the law allows a PA, as an agent of the supervising physician, to order procedures which presumably a registered nurse should be able to take and fulfill."

With regard to the proposed amendment as suggested by the Hawaii State Center for Nursing, HAPA has no objection to the addition of their proposed amendments.

We thank the Committee on Consumer Protection & Commerce for hearing the bill respectfully request that you pass SB2103 SD2 HD1.

Fielding Mercer, PA-C President Hawaii Academy of Physician Assistants



# KAISER FOUNDATION HOSPITAL, KAISER PERMANENTE HAWAII REGION DEPARTMENT OF GENERAL SURGERY REQUEST FOR PRIVILEGES AS A PHYSICIAN ASSISTANT

Applicant Name:			
	•		

#### REQUIREMENTS

#### BASIC EDUCATION:

Graduation from a board approved school or training program for physician assistants (§ 16-85-45 Education. All physician assistant educational programs approved and accredited by the American Medical Association's Committee on Allied Health Education and Accreditations, or its successor agency shall be approved by the board of medical examiners. {Eff 6/30/81; comp 7/27/87; comp 10/28/89; comp 8/25/90; am and comp 12/22/97] (Auth: HRS §§453-5.1, 453-5/3) (Imp: HRS §453-5.3) 85-17.

#### MINIMUM FORMAL TRAINING:

- Evidence of graduation from a board approved school or training program;
- AND Evidence of passage of the national certification examination developed by the National Commission on Certification of Physician's Assistants (NCCPA);
- AND Evidence of current NCCPA certification (HAR §16-85-46)

#### LICENSURE/RECOGNITION:

Hawaii State certificate to practice as a physician assistant or Hawaii State temporary certificate to practice as a physician assistant if "graduated from a board approved training program within twelve months of the date of application and never taken a national certifying examination approved by the board." (HRS §453-5.3) (Note: HRS §453-5.3 uses the term "license" in place of "certificate.") (HAR §16-85-46).

#### SCOPE OF SERVICES:

The physician assistant performs under appropriate supervision those duties and functions specifically delegated by a physician or group of physicians who meet the requirements set forth in HAR §16-85-49. A physician assistant shall be considered the agents of the physician assistant's supervising physician in the performance of all practice-related activities as established in writing by the employer. (HAR §16-85-49.1).

# **CORE PRIVILEGES FORMAT:**

This delineation of privileges represents those most commonly performed within the specialty area and the scope of services provided. The privileges are described in the core privilege (or bundling) format, which, by necessity, is not a detailed list. Each bundle denotes a level of clinical expertise as based on evidence of documented education, training and experience. It is assumed that other medical illnesses and problems may require management within the Practitioner's scope of care and commensurate with the qualifications of a Practitioner's licensure. Procedures outside the scope of those listed for this department must be granted on an individual basis through the appropriate department(s) of this facility, upon recommendation of the Chief of the Department of General Surgery.

#### PROCTORING REQUIREMENTS:

Successful completion of Kaiser orientation period including end of orientation performance evaluation. Proctoring to be in compliance with regional procedure for "Proctoring of Professional Staff", procedure number 6226-02-D-9 as amended 3/5/02.

# REAPPOINTMENT REQUIREMENTS:

The following is included merely as a guide. It is up to the individual departments to determine the criteria for its PA's:

- Based upon the current appointment period, the Chief of the Department of General Surgery will indicate, by checking or initialing (e.g.: in a column for competency) each of the corresponding privilege(s) being requested, thus indicating the PA is adequately competent to perform that privilege requested.
- For staff members who do not meet the minimum patient requirement, documentation of the continuing use of clinical privileges held or requested must be submitted at time of reappointment.

#### ADDITIONAL REQUIREMENTS:

#### For Basic Procedures and Advanced Procedures

- If the privilege requested is a newly acquired skill, the PA will provide a verbal review of the procedure to the proctor. Verbal review will be followed by a single observation of the PA performing the skill under the supervision of the proctor.
- If the procedure is currently a part of the PA's practice within the Kaiser system, and there have been no quality problems/complications resulting from the PA's performance of the procedure, the above criteria are waived and approval will be granted for that privilege.
- When the procedure is currently a part of the PA's practice outside the Kaiser system, one observation of the PA performing the skill under the supervision of the proctor will be sufficient to determine competence if the following are met:
  - > The PA has provided Kaiser with evidence of formal training (e.g. documentation of included content in academic or continuing education program) or of on-the-job training;
  - > No adverse quality issues pertaining to the procedure have surfaced from outside healthcare affiliations during the credentialing and privileging process.

#### REQUIREMENTS FOR PRESCRIPTIVE AUTHORITY:

IN ADDITION TO MINIMUM FORMAL TRAINING, Physician Assistants may prescribe all legend medications, including controlled medications in Schedule III through V for dispensing from an outpatient pharmacy, including medications for discharge from the hospital. Physician assistants may write orders for controlled medications in Schedule II through V for patients in the hospital who are under the care of his/her supervising physician. A physician assistant who has been delegated the authority to prescribe and/or order controlled medications in Schedule II through V shall register with the Drug Enforcement Administration (DEA) and the State of Hawaii Narcotics Enforcement Division. All Physician Assistants granted prescriptive authority shall complete medication use orientation and education within 90 days of the grant (Policy # 65-61-2.34).

 $\mbox{\bf INSTRUCTIONS:}$  Check (  $\!\!\!\sqrt{\phantom{1}}$  ) the appropriate box for each privilege requested.

Request Location			To be determined by Chief					
AMB	KFH	Part A: Diagnosis and Management (Cognitive) Privileges	Y	10.10.10.11.11.11	Yes with	No	7 - 2 Y - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 -	
			AMB	KFH	Proctoring	AMB	KFH	
		Medical services rendered by the physician assistants may include, but are not limited to:  Privileges to admit; evaluate; diagnose; consult; provide pre-, intra-, and postoperative surgical care; and perform surgical procedures for patients of all						
		ages-except where specifically excluded from practice; to correct or treat various conditions, illnesses, and injuries of the alimentary tract, abdomen and its contents, breast, skin, soft tissue, head and neck, endocrine system, and minor extremity surgery. Privileges include, but are not limited to, insertion and management of			;			
:		arterial catheters, chest tubes, central venous catheters. Also lumbar puncture, tracheostomy, paracentesis, thoracocentesis, management of trauma, and complete care of critically ill patients with underlying surgical conditions in the emergency					i	
		department and intensive care unit, including initial assessment, initiating and performing CPR and administering CPR resuscitation drugs, steroids, etc.  Additional privileges include but are not limited to the following:						
		<ol> <li>Ordering, interpreting, or performing diagnostic and therapeutic procedures;</li> <li>Offering counseling and education to meet patient needs; and</li> <li>Making appropriate referrals (HAR §16-85-49.1) including initiating consultation with medical or surgical specialties and paramedical services</li> </ol>						
		(4) Recognize and evaluate situations which call for the immediate attention of a physician and institute, when necessary, treatment and procedures essential for the life of the patient.				ļ		
		<ul> <li>(5) Assisting at surgery in open and laparoscopic operations</li> <li>(6) Perform rounds</li> <li>(7) Write, transmit, or dictate progress notes, orders, and discharge summaries.</li> </ul>						
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Request Location				To be determined by Chief					
AMB KFH		Part B: SPECIAL PROCEDURES	Yes		Yes with 1				
AIVID	Krn		AMB	KFH	Proctoring	AMB	KFH		
		Perform surgical consultations and report findings to surgical staff							
		Provide routine follow-up care for surgical inpatients and outpatients							
		Supervise transport of patients who are critically ill or who have cardiovascular instability							
		Wound care, including but not limited to dressing application, changes and/or removal, wound aspiration, incision and drainage, and wound debridement							
		Removal of wound drains							
		Administer intrapleural medication(s)							
		Order and administer SubQ, ID, IM and IV medication, as directed by attending physician							
		Perform venipuncture							
		Place Foley catheter							
		Place NG or other enteral feeding tube							
		Order and transfuse blood							
		First Assistant to the surgeon for major general surgical procedures (requiring use of standard general surgical experience), or other technically difficult procedures and other assistance as directed by the surgeon							
		Common general surgery in office procedures (i.e. anoscopy, aspiration of cysts, core biopsy of nodules, excision of thrombosed hemorrhoid, hemorrhoid banding, foreign body removal) and any other procedures as delegated by the supervising							

Request Location To be determined by						ness inches and	NGOLUME AN	
and the first of the second	Heren Comments	Part B: SPECIAL PROCEDURES (Continued)		Y	es es	Yes with		0
AMB	KFH			AMB	KFH	Proctorir	ıg AMB	
		Independent use of Ambulatory Surgery Room for general surgery pr delineated by the supervising physician	ocedures as					
		Open and close surgical incisions and other assistance as requested by	y the surgeon.	П	П	П	П	П
		Excise and send specimens for pathology		一				
		Coordinate diagnostic work-ups, procedures, and discharge planning and general surgical patients on other services requiring surgical follows:						
		Revision(s)/Modifications to Part	<u>B:</u>				<del>-                                    </del>	
<u> </u>		<del></del>		1			<u> </u>	
Reque				La L	Tol	e determi		ef
YES	NO	Part C: PRESCRIPTIVE AUTHORITY			Yes	Yes with Proctorin	g N	0
		PRESCRIPTIVE AUTHORITY:						
		To prescribe, dispense, and administer medications and medical devices the supervising physician, in compliance with appropriate federal and state to the following requirements:						
		Prescribing and dispensing of medications may include Schedule III throumedications. (HAR 16-85-49)	ugh V and all le	egend			:	
		PRESCRIPTIVE AUTHORITY: A physician assistant employed or extended privileges by a hospital or extended under the bylaws, rules, and regulations of the hospital or extenders for medications Schedule II through V, for inpatients under the carphysician. (HAR §16-85-49)	nded care facili	ty, writ				
By signi		ow, I acknowledge that I have read and understand the requirements for options and the requirements for options are also and the requirements for options and the requirements for options are also and the requirements for options and the requirements for options and the requirements for options are also and the requirements ar	or the privilege	s I hav	e reque	ested.		
	on, trair	y that I have reviewed each of the privileges requested and that thing, experience or other factors related to current competence and						
Signatur	re of De	Epartment Chief Date						
Signatur	re of Su	pervising Physician Date						
Signatur	re of Su	pervising Physician Date						
Signature of Director of Pharmaceutical Services  Date								
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APPROVALS:		
	Credentials and Privileges Committee	Date
☐ Approved		
	Executive Committee	Date
Approved		
	Board of Directors	Date

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TO: COMMUTEE ON CONSUMER PRINCE

Rep. Robert M. Herkes, Chair
Rep. Ryans: Yamare, Vice Chair

DATE: Mithday, April Z 2012

TIME: 2:00 per

PLACE Conference America 22

From: Hawaii Medical Association Common Association

Dr. Roger Kimura: MD; President/CA No. 2004/2004/2004/2004/2004/2004

Linda Rasmussen, MD, begislative for Chairs Secret 1997, 1999, verifice due 1997

Dr. Joseph Zobian, MD, Legislatives outChaits prepublicant Astronous sections as the contest of To O' distorbed Flanders, DOSExadadore Directório do de Celebración de la composición del composición della composición de la composición della composición

Lauren Zirbet, Community and Government Belefinns von der School v

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In Sepport

Chaus & Committee Members:

Hawaii Medical Association supports this measure

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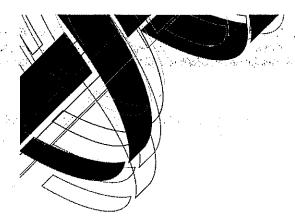
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  - (b) Medical services rendered by the physical assistents may not add that seems limited to:
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    - (2) Ordering interpreting or performing discostic sect the about to proceed the

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950 North Washington Street Alexandria, VA 22314 P 703 836 2272 F 703 684 1924 E aapa@aapa.org www.aapa.org

RE: SB 2103 SD2 HD1

Committee for Consumer Protection and Commerce Monday, 4/2/2012-2:00 PM Conference Room 325

Representative Robert N. Herkes – Chair. Representative Ryan I. Yamane – Vice Chair

Dear Chairman Herkes and Members of the Committee:

The American Academy of Physician Assistants is the national professional society for physician assistants. In thes capacity the Academy represents over 83,000 physician assistants in the United States.

The Academy would like to express our strong support for SB 2103 SD2 HD1. This important bill clarifies that it is legal for a nurse to implement an order written by a PA who is functioning as an agent of a supervising physician.

Nurses, physicians and PAs work together as colleagues to provide care for patients. Clarity in the law is required to assure that timely, safe and effective care can be provided to the patients of Hawaii. This legislation has wide support among PAs, nurses and doctors.

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Market Control

Makestall Manager

We respectfully request that you pass SB 201 SD2 HD1.

Thank you for considering this testimony.

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Sincerely,

Ann Davis, PA-C

Senior Director of Advocacy and Outreach

# Written Testimony Presented Before the House Committee on Consumer Protection & Commerce April 2, 2012,

SB 2103, SD2, HD1 RELATING TO HEALTH.

Chair Yamane, Vice Chair Morikawa, and members of the House Committee on Consumer Protection and Commerce, thank you for this opportunity to provide testimony in support of this bill, SB 2103, SD2, HD1. This measure amends the definition of "the practice of nursing as a registered nurse" in Section 457-2, Hawai'i Revised Statutes by adding the requirement that practical and registered nurses carry out the orders of a physician that are delivered through a physician assistant acting as an agent of the supervising physician. At no time is the physician assistant acting independently of a physician.

We support the proposed Section 3, as submitted by Dean Mary Boland of the UHSONDH. Deleting: "leading to a master's degree as a certified registered nurse anesthetist, a nurse midwife, a clinical nurse specialist, or a nurse practitioner". Adding: "preparing the nurse for one of the four recognized APRN roles"

We thank you for your consideration of this rational change to SB2103, SD2, HD1 and urge you to pass this bill with proposed amendment. Mahalo in advance for your thoughtful consideration of these issues and I ask your support to move this legislation forward.

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

Dr. Lenora Lorenzo

DNP, APRN-RX, BC-FNP/GNP/ADM, CDE

American Academy of Nurse Practitioners

Region 9 Director (Arizona, Nevada, California, Hawaii and US Territories of Guam, American Samoa & the Marianna Islands)

Adjunct Faculty University of Hawai'i School of Nursing & Denta Hygeine

Primary Care Provider & Chronic Disease Management Team Leader

Veterans Health Administration, Pacific Islands Health Care System

PO Box 474, Haleiwa, Hawaii 96712

(808) 222 4330



House Committee on Consumer Protection (CPN)
The Honorable Representative R. Herkes, Chairperson
The Honorable Representative R. Yamane, Co-Chair
Honorable Committee members;

March 30, 2012

<u>In support of SB-2103, SD-2</u>, Relating to Health, Nursing and Physician Assistants. With Clarification provided by Sen. Green in SSCR #2257:

The Puna Community Medical Center located in the Pahoa Village Marketplace, Pahoa, Hawaii, stands in strong support of the passage of this bill. Hawaii's hospital based health services would benefit from the utilization of PAs, and this bill would enable a good working relationship between physicians, PAs and the nursing team in providing in-patient care in Hawaii's hospitals. Teams like this function well in hospitals throughout the United States; there is no reason why those teams could not function just as well in Hawai'i.

Of the more that 81,000 actively practicing PAs nationally, more that half have hospital privileges. All of these PAs work in teams with nurses and physicians; it is time to bring this advantage in health service delivery to Hawaii.

Physicians in hospital practice utilize PAs in every realm; including in-patient medical and surgical services, the surgical theater, the Emergency Departments, out patient specialty clinics, and in long term care. It is essential that the relationship with their nursing colleagues is clear and teamwork be given the highest priority. We believe SB-2103, as amended, will help create these healthy relationships in the service of the people of Hawai'i. We urge you to pass this bill.

Thank you for this opportunity to provide supportive testimony in this important matter.

Sincerely,

Dan Domizio PA, MPH Clinical Programs Director PCMC 808-930-6001 RE: SB 2103 SD2 HD1 Committee for Consumer Protection and Commerce Monday, 4/2/2012 2:00 PM Conference Room 325

Representative Robert N. Herkes – Chair Representative Ryan I. Yamane – Vice Chair

Honorable Chairpersons and members of the committee:

I am writing in support of SB 2103 SD2 HD1.

SB 2103 SD2 HD1 clarifies that it is legal for a nurse to act on an order written by a PA functioning as an agent of a physician.

This bill has wide support from physician, PA and nurse organizations and clarifies the relationship with LPNs and RNs but does not expand the PA's scope of practice.

Nurses and PAs work as colleagues to care for patients. Clarity in the law is required to assure that timely, safe and effective care can be provided to the patients of Hawaii.

I respectfully request that you pass SB 2103 SD2 HD1.

Sincerely,

John Lee, PA-C
Dept. of Cardiothoracic Surgery, Module 3D
Kaiser- Moanalua Medical Center
3288 Moanalua Road
Honolulu, HI 96819
Work: (808) 432-8341

Fax: (808) 432-8353

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Sent: Friday, March 30, 2012 7:03 PM

To: CPCtestimony

Cc: fizuta@netscape.net

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Frank Izuta, M.D.

Organization: Individual E-mail: fizuta@netscape.net Submitted on: 3/30/2012

Comments:

RE: SB 2103 SD2 HD1

Committee for Consumer Protection and Commerce Monday, 4/2/2012 2:00 PM Conference Room 325

Representative Robert N. Herkes - Chair Representative Ryan I. Yamane - Vice Chair

Honorable Chairpersons and Members of the Committee:

I am testifying in strong support of SB2103 SD2 HD1.

Frank Izuta, M.D

First Medical at Kapolei

30

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Saturday, March 31, 2012 6:01 PM

To: CPCtestimony
Cc: workstar@pixi.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: D. Scott McCaffrey, M.D.
Organization: Individual
E-mail: workstar@pixi.com

#### Comments:

D. Scott McCaffrey, M.D. RE: SB 2103 SD2 HD1

Submitted on: 3/31/2012

Committee for Consumer Protection and Commerce Monday, 4/2/2012 2:00 PM Conference Room 325

Representative Robert N. Herkes - Chair Representative Ryan I. Yamane - Vice Chair

Dear Chairman Herkes and Members of the Committee:

I am writing in strong support to this bill which will clarify the "chain of command" in patient care so important to insure seamless treatment of the patients that doctors, nurses, APRNs, and physician assistants serve.

PA's have become an integral part of the healthcare workforce and are considered colleagues and peers in a number of ways. This law will insure that we all act as a coordinated team without undue delay in clinical decision making.

Mahalo and please contact me at 808-676-5331 if you have any questions regarding this important measure.

Sincerely,

D. Scott McCaffrey, MD Medical Director Workstar Injury Recovery Center

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Friday, March 30, 2012 3:00 PM

To: CPCtestimony
Cc: vitousek@nhop.org

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Sharon Vitousek Organization: Individual

E-mail: vitousek@nhop.org Submitted on: 3/30/2012

#### Comments:

I strongly support SB2103 because it help to preserve access to healthcare and potentially improve access, by clarifying that it is legal for a nurse to act on an order written by a PA functioning as an agent of a physician. This bill has wide support from physician, PA and nurse organizations. Nurses and PAs work as colleagues to care for patients. Increasing clarity in the law will help to assure that timely, safe and effective care can be provided to the patients of Hawaii. Since there is such a big health provider shortage on Hawaii Island, we are especially interested in seeing this bill enacted.

4)

Sincerely,

Sharon Vitousek MD

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Friday, March 30, 2012 8:59 PM

To: CPCtestimony

Cc: jonellipacific@yahoo.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: David Jones, MD

Organization: Individual

E-mail: jonellipacific@yahoo.com

Submitted on: 3/30/2012

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Friday, March 30, 2012 6:15 PM

To: CPCtestimony

Cc: physicianassistant@hawaii.rr.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No

Submitted by: Christine Pratt PA-C, MPAS

Organization: Individual

E-mail: physicianassistant@hawaii.rr.com

Submitted on: 3/30/2012

#### Comments:

RE: SB 2103 SD2 HD1

Committee for Consumer Protection and Commerce Monday, 4/2/2012 2:00 PM Conference Room 325

Representative Robert N. Herkes - Chair Representative Ryan I. Yamane - Vice Chair

Honorable Chair persons and members of the committee:

I am writing in support of SB 2103 SD2 HD1.

SB 2103 SD2 HD1 clarifies that it is legal for a nurse to act on an order written by a PA functioning as an agent of a physician.

This bill has wide support from physician, PA and nurse organizations and clarifies the relationship with LPNs and RNs but does not expand the PA's scope of practice. Nurses and PAs work as colleagues to care for patients. Clarity in the law is required to assure that timely, safe and effective care can be provided to the patients of Hawaii.

I respectfully request that you pass SB 2103 SD2 HD1.

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Saturday, March 31, 2012 7:17 AM

To: CPCtestimony

Cc: Dmessiii@aol.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No

Submitted by: David H Messer III, PA-C

Organization: Individual E-mail: Dmessiii@aol.com Submitted on: 3/31/2012

#### Comments:

As you know, SB 2103 SD2 HD1 clarifies that it is legal for a nurse to act on an order written by a PA functioning as an agent of a physician. This bill has wide support from physician, PA and nurse organizations.

Nurses and PAs work as colleagues to care for patients. Clarity in the law is required to assure that timely, safe and effective care can be provided to the patients of Hawaii.

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Friday, March 30, 2012 1:07 PM

To: CPCtestimony

Cc: 808dorothy@gmail.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Dorothy Toni Maurice

Organization: Individual E-mail: 808dorothy@gmail.com Submitted on: 3/30/2012

#### Comments:

I am a physician assistant working at Kaiser. I work closely with nurses and SB 2103 SD2 HD1 will clarify in statute what the Board of Nursing has already stated: That nurses can execute orders from licensed physician assistants practicing with physician supervisian.

I respectfully ask you to pass this bill.

Dorothy Toni, PA-C

RE: SB 2103 SD2 HD1 Committee for Consumer Protection and Commerce Monday, 4/2/2012 2:00 PM Conference Room 325

Representative Robert N. Herkes – Chair Representative Ryan I. Yamane – Vice Chair

Honorable Chairpersons and members of the committee:

I am writing in support of SB 2103 SD2 HD1. SB 2103 SD2 HD1 clarifies that it is legal for a nurse to act on an order written by a PA functioning as an agent of a physician.

This bill has wide support from physician, PA and nurse organizations and clarifies the relationship with LPNs and RNs but does not expand the PA's scope of practice.

Nurses and PAs work as colleagues to care for patients. Clarity in the law is required to assure that timely, safe and effective care can be provided to the patients of Hawaii.

I respectfully request that you pass SB 2103 SD2 HD1.

Sincerely,

Patty M. Inouye RN e-mail address: islandgirlpatty@gmail.com

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Saturday, March 31, 2012 12:01 PM

To: CPCtestimony

Cc: tilleycarrie@gmail.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Carrie Tilley Organization: Individual

E-mail: tilleycarrie@gmail.com

Submitted on: 3/31/2012

#### Comments:

RE: SB 2103 SD2 HD1

Committee for Consumer Protection and Commerce Monday, 4/2/2012 2:00 PM Conference Room 325

Representative Robert N. Herkes - Chair Representative Ryan I. Yamane - Vice Chair

Honorable Chair persons and members of the committee:

I am writing in support of SB 2103 SD2 HD1.

SB 2103 SD2 HD1 clarifies that it is legal for a nurse to act on an order written by a PA functioning as an agent of a physician.

I am a Registered Nurse and a graduate of the University of Hawaii, Manoa. I feel that this bill is integral for effective patient care. This bill has wide support from physician, PA and nurse organizations and clarifies the relationship with LPNs and RNs but does not expand the PA's scope of practice.

Nurses and PAs work as colleagues to care for patients. Clarity in the law is required to assure that timely, safe and effective care can be provided to the patients of Hawaii.

I respectfully request that you pass SB 2103 SD2 HD1.

Sincerely, Carrie Tilley, RN

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Saturday, March 31, 2012 4:39 PM

To: CPCtestimony

Cc: frmercer1@yahoo.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Fare Mercer, R.N. Organization: Individual

E-mail: frmercer1@yahoo.com Submitted on: 3/31/2012

#### Comments:

RE: SB 2103 SD2 HD1 Committee for Consumer Protection and Commerce Monday, 4/2/2012 2:00 PM Conference Room 325

Representative Robert N. Herkes - Chair Representative Ryan I. Yamane - Vice Chair

Honorable Chairman and Members of the Committee:

I and many of my nursing colleagues would welcome this addition to the nursing statute so that it is clearly stated in our nurse practice act that it is legal for a nurse to implement an order written by a PA who is functioning as an agent of a supervising physician. I strongly support passage of SB2103, SD2 HD1.

Faye R. Mercer, R.N.

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Saturday, March 31, 2012 8:15 PM

To: CPCtestimony

Cc: krismarie518@hotmail.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support
Testifier will be present: No
Submitted by: Christine Perea RN

Organization: Individual

E-mail: krismarie518@hotmail.com

Submitted on: 3/31/2012

Comments:

Christine Perea, RN
RE: SB 2103 SD2 HD1
Committee for Consumer Protection and Commerce
Monday, 4/2/2012 2:00 PM Conference Room 325

Representative Robert N. Herkes - Chair Representative Ryan I. Yamane - Vice Chair

Honorable Chair persons and members of the committee:

I support passage of SB2103 SD2 HD1. Christine Perea RN

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Friday, March 30, 2012 12:52 PM

To: CPCtestimony

Cc: Islanddaisy29@aol.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Megan Canne Organization: Individual E-mail: Islanddaisy29@aol.com

Submitted on: 3/30/2012

#### Comments:

I am an LPN and work closely with Physicain Assistants at Kaiser. I strongly support SB 2103 SD2 HD1 and ask that you pass this bill. Megan Canne, LPN

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Friday, March 30, 2012 1:19 PM

To: CPCtestimony

Cc: Marythess.Clemente@kp.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325 Testifier position:

Testifier will be present: No Submitted by: Marythess Clemente

Organization: Individual

E-mail: Marythess.Clemente@kp.com

Submitted on: 3/30/2012

Comments:

I strongly support SB2103 SD2 HD1 and request that you pass this bill.

Respectfully,

Marythess Clemente, LPN

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Bodhi Anderson

Organization: Individual

E-mail: bodhiandersonpac@gmail.com

Submitted on: 4/2/2012

#### Comments:

Please support this bill.

RE: SB 2103 SD2 HD1

Committee for Consumer Protection and Commerce Monday, 4/2/2012 2:00 PM Conference Room 325

Representative Robert N. Herkes – Chair Representative Ryan I. Yamane – Vice Chair

Honorable Chair persons and members of the committee:

I am writing in support of SB 2103 SD2 HD1.

SB 2103 SD2 HD1 clarifies that it is legal for a nurse to act on an order written by a PA functioning as an agent of a physician. This bill has wide support from physician, PA and nurse organizations and clarifies the relationship with LPNs and RNs but does not expand the PA's scope. Nurses and PAs work as colleagues to care for patients. Clarity in the law is required to assure that timely, safe and effective care can be provided to the patients of Hawaii.

I respectfully request that you pass SB 2103 SD2 HD1.

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Sunday, April 01, 2012 7:38 PM

To: CPCtestimony
Cc: muraiz3@aol.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Amy Stone Murai

Organization: Individual E-mail: muraiz3@aol.com Submitted on: 4/1/2012

#### Comments:

Additionally, I support the amendments proposed by the University of Hawaii at Manoa that would amend Section 457-8.5(a)(4), Hawaii Revised Statutes, by: Deleting: "leading to a master's degree as a certified registered nurse anesthetist, a nurse midwife, a clinical nurse specialist, or a nurse practitioner" and Adding: "preparing the nurse for one of the four recognized APRN roles"

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Sunday, April 01, 2012 1:53 PM

To: CPCtestimony

Cc: osorioyouwho@yahoo.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: mary osorio Organization: Individual

E-mail: osorioyouwho@yahoo.com

Submitted on: 4/1/2012

#### Comments:

This is an important bill to be passed. It is common sense as part of health care " reform" in general. We need mid-level practioners to make the health system work better. They need to be officially recognized and empowered to play the important roles they have been trained to do. There is no logical argument against this!

Please pass this bill. mahalo.

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Sunday, April 01, 2012 10:56 AM

To: CPCtestimony
Cc: Jkf808@gmail.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Jonathan Fowler

Organization: Individual E-mail: Jkf808@gmail.com Submitted on: 4/1/2012

#### Comments:

I work at Straub ER and work with PA's on a daily basis. I support this bill and think it would benefit the health care field.

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Sunday, April 01, 2012 10:45 AM

To: CPCtestimony

Cc: pgring@gmail.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Pamela Gring-Fee

Organization: Individual E-mail: pgring@gmail.com Submitted on: 4/1/2012

Comments:

I support SB2103.

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Sunday, April 01, 2012 12:09 PM

To: CPCtestimony

Cc: Lovelywonder@gmail.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325
Testifier position: Support
Testifier will be present: No
Submitted by: Heather Fowler

Organization: Individual

E-mail: Lovelywonder@gmail.com

Submitted on: 4/1/2012

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Sunday, April 01, 2012 10:47 AM

**To:** CPCtestimony **Cc:** tfee@hhf.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No

Submitted by: Tom Fee Organization: Individual E-mail: tfee@hhf.com Submitted on: 4/1/2012

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Sunday, April 01, 2012 12:22 AM

To: CPCtestimony

Cc: e-aturu@hawaii.rr.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No

Submitted by: Lisa Zick-Mariteragi

Organization: Individual

E-mail: e-aturu@hawaii.rr.com

Submitted on: 4/1/2012

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Saturday, March 31, 2012 6:26 PM

To: CPCtestimony

Cc: mlspadaro@yahoo.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Mary Spadaro Organization: Individual E-mail: mlspadaro@yahoo.com Submitted on: 3/31/2012

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Friday, March 30, 2012 8:58 PM

To: CPCtestimony

Cc: kathleen.elliott808@gmail.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Kathleen Elliott

Organization: Individual

E-mail: kathleen.elliott808@gmail.com

Submitted on: 3/30/2012

mailinglist@capitol.hawaii.gov [mailinglist@capitol.hawaii.gov]

Sent: Saturday, March 31, 2012 2:49 PM

To: **CPCtestimony** 

Cc: Gchapin0520@gmail.com

Testimony for CPC 4/2/2012 2:00:00 PM SB2103

Conference room: 325

Testifier position: Support Testifier will be present: No Submitted by: Gail Chapin Organization: Individual E-mail: Gchapin0520@gmail.com

Submitted on: 3/31/2012