



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

GOV. MSG. NO. 1372

July 8, 2013

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,
Speaker and Members of
the House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

I am transmitting herewith HB654 HD2 SD1, without my approval, and with the statement of objections relating to the measure.

HB654 HD2 SD1

RELATING TO NURSING

Signed
A handwritten signature in black ink, appearing to read "Neil Abercrombie".

NEIL ABERCROMBIE
Governor, State of Hawaii

EXECUTIVE CHAMBERS

HONOLULU

July 8, 2013

STATEMENT OF OBJECTIONS TO HOUSE BILL NO. 654

Honorable Members
Twenty-Seventh Legislature
State of Hawaii

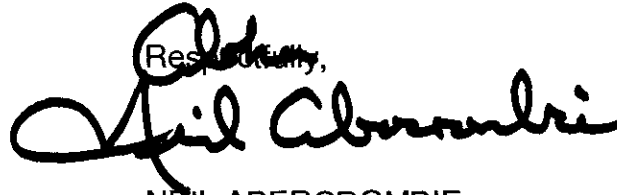
Pursuant to Section 16 of Article III of the Constitution of the State of Hawaii, I am returning herewith, without my approval, House Bill No. 654 entitled "A Bill for an Act Relating to Nursing."

The purposes of this bill are to (1) require the Professional and Vocational Licensing Division ("Division") of the Department of Commerce and Consumer Affairs to collaborate with the Hawaii Center for Nursing ("Center") in obtaining nurse-related data; (2) require the Division to execute a memorandum of understanding with the Center regarding sharing of certain information; (3) request licensed nurses to complete the Center's survey when renewing their licenses; and (4) change the membership of the Center's Advisory Board to include three representatives of professional organizations related to health in place of representatives from the Hawaii Nurses' Association.

This bill is objectionable because it requires the Division to collaborate with the Center, which the Division is already doing, and to collect data by requesting nurses to complete a Center survey, which the Division currently does by providing electronic links at both the beginning and end of its licensing renewal process. Thus, this bill's objectives can be achieved by agreement and it is unnecessary to include these provisions in the statutes. It is also unnecessary to tie the renewal of nursing licenses to the completion of a survey.

STATEMENT OF OBJECTIONS
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For the foregoing reasons, I am returning House Bill No. 654 without my approval.

Respectfully,

NEIL ABERCROMBIE
Governor of Hawaii

VETO

HOUSE OF REPRESENTATIVES
TWENTY-SEVENTH LEGISLATURE, 2013
STATE OF HAWAII

H.B. NO. 654
H.D. 2
S.D. 1

A BILL FOR AN ACT

RELATING TO NURSING.

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

1 SECTION 1. The legislature finds that the Institute of
2 Medicine has asserted that effective workforce planning and
3 policymaking require better data collection and an improved
4 information infrastructure. The legislature also finds mention
5 in the Institute of Medicine's recommendations for building an
6 "infrastructure for the collection and analysis of
7 interprofessional health care workforce data" and collaboration
8 among state licensing boards, state nursing workforce centers,
9 and the United States Department of Labor in the effort to
10 ensure that the data are timely and publicly accessible.

11 The legislature further finds that the Hawaii center for
12 nursing and the school of nursing and dental hygiene of the
13 University of Hawaii have collaborated with the department of
14 health, department of human services, department of commerce and
15 consumer affairs, department of labor and industrial relations,
16 Hawaii workforce development council, board of nursing, and all
17 accredited schools of nursing in the State to ensure timely and
18 publicly accessible data.

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1 The legislature additionally finds that the center for
2 nursing has collected nursing-related data through various
3 surveys, including five annual surveys related to nursing
4 programs, three biennial census surveys of registered nurses,
5 and a census survey of licensed practical nurses. The
6 legislature also finds that center for nursing surveys are a
7 valuable way to collect important nursing-related data, and a
8 response to these surveys should be requested as part of the
9 licensing renewal requirements under chapter 457, Hawaii Revised
10 Statutes.

11 Therefore, the purpose of this Act is to:

- 12 (1) Require the professional and vocational licensing
13 division of the department of commerce and consumer
14 affairs to collaborate with the center for nursing to
15 enable the center to obtain nursing-related data;
- 16 (2) Require the professional and vocational licensing
17 division to provide the center for nursing with
18 various information through a memorandum of
19 understanding; and
- 20 (3) Request completion of a survey developed by the center
21 for nursing as part of the license renewal



1 requirements under chapter 457, Hawaii Revised
2 Statutes.

3 SECTION 2. Section 304A-1404, Hawaii Revised Statutes, is
4 amended by amending subsection (b) to read as follows:

5 "(b) The dean of the school of nursing and dental hygiene,
6 or the dean's designee, shall direct the activities of the
7 center for nursing. There shall be an advisory board composed
8 of fifteen members appointed by the governor pursuant to section
9 26-34 to staggered terms as follows:

10 (1) Five members from the business and labor community:

11 (A) One of whom shall represent the Healthcare
12 Association of Hawaii;

13 (B) Two of whom shall represent other business
14 entities; and

15 (C) Two of whom shall represent labor organizations;

16 (2) Five members from the nursing profession:

17 (A) One of whom shall represent the American
18 Organization of Nurse Executives;

19 (B) One of whom shall represent the Hawaii Government
20 Employees Association; and

21 (C) Three of whom shall represent ~~[the Hawaii Nurses'~~
22 ~~Association, provided that:~~



- 1 ~~(i) Two members shall represent the professional~~
- 2 ~~component, and~~
- 3 ~~(ii) One member shall be a non-managerial staff~~
- 4 ~~nurse,] professional organizations related~~
- 5 to health;

- 6 (3) Two members from among the State's nurse educators:
- 7 (A) One of whom shall be a doctorally-prepared nurse
- 8 educator; and
- 9 (B) The other, a doctorally-prepared nurse
- 10 researcher; and
- 11 (4) Three members from community agencies or consumer
- 12 groups with an interest in healthcare."

13 SECTION 3. Section 304A-1407, Hawaii Revised Statutes, is
14 amended to read as follows:

15 "[~~§~~304A-1407~~]~~ Collaboration with the center for
16 nursing. (a) The University of Hawaii school of nursing and
17 dental hygiene, the state board of nursing, other schools of
18 nursing within the State, professional nursing organizations,
19 employers in the healthcare industry, and labor unions
20 representing nurses and healthcare workers shall collaborate
21 with the center for nursing and provide workforce data to the
22 center for nursing when requested.

1 (b) The professional and vocational licensing division of
2 the department of commerce and consumer affairs shall
3 collaborate with the center for nursing to enable the center for
4 nursing to obtain nursing-related data, including but not
5 limited to workforce data of nurses licensed in the State.
6 Workforce data may be obtained through online surveying or other
7 cost-effective, efficient methods. A survey developed by the
8 center for nursing and deemed necessary by the center for
9 nursing shall be requested as part of the license renewal
10 requirements under section 457-9(a). Through a memorandum of
11 understanding with the center for nursing, the professional and
12 vocational licensing division shall provide nurse licensee
13 contact information, including but not limited to email
14 addresses, to enable the center for nursing to:

- 15 (1) Collect and analyze data;
16 (2) Prepare and disseminate written reports and
17 recommendations regarding the current and future
18 status and trends of the nursing workforce;
19 (3) Conduct research on best practices and quality
20 outcomes;
21 (4) Develop a plan for implementing strategies to recruit
22 and retain nurses; and



1 (5) Research, analyze, and report data related to the
2 retention of the nursing workforce, in accordance with
3 section 304A-1406."

4 SECTION 4. Section 457-9, Hawaii Revised Statutes, is
5 amended by amending subsection (a) to read as follows:

6 "(a) The license of every person licensed, recognized, or
7 granted prescriptive authority shall expire on June 30 of every
8 odd-numbered year and shall be renewed biennially, except as
9 provided in this section. Biennially in each odd-numbered year,
10 the board shall make available an application for renewal of
11 license before the deadline set forth by the board to every
12 person to whom a license was issued or renewed during the
13 biennium. The applicant shall complete the application and
14 submit it to the board with a renewal fee and all required
15 documents on or before the deadline set by the board. The
16 applicant shall provide documents from proper agencies or
17 parties of any criminal conviction or any disciplinary action
18 taken or pending in this State or any other state in the United
19 States or any territory or possession under the jurisdiction of
20 the United States within the two years prior to application for
21 renewal of license. As part of the license renewal process,
22 each applicant shall be requested to complete a survey developed



1 by the center for nursing as deemed necessary by the center for
2 nursing pursuant to section 304A-1407(b). Upon receipt of the
3 application and fee, the board shall verify the accuracy of the
4 application and issue to the applicant a certificate of renewal
5 for the biennium expiring two years hence on the deadline set by
6 the board. The renewal shall render the holder thereof a legal
7 practitioner of nursing for the period stated on the renewal
8 form."

9 SECTION 5. Statutory material to be repealed is bracketed
10 and stricken. New statutory material is underscored.

11 SECTION 6. This Act shall take effect on July 1, 2013.

APPROVED this day of , 2013

GOVERNOR OF THE STATE OF HAWAII

