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**PRESENTATION OF THE  
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION**

TO THE HOUSE COMMITTEE ON  
CONSUMER PROTECTION & COMMERCE

TWENTY-SEVENTH LEGISLATURE  
Regular Session of 2014

Monday, March 31, 2014  
2:10 p.m.

**TESTIMONY ON SENATE BILL NO. 2490, S.D. 2, H.D. 1, RELATING TO  
CONTINUING COMPETENCY FOR NURSES.**

TO THE HONORABLE ANGUS L.K. MCKELVEY, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

My name is Celia Suzuki, Licensing Administrator of the Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs ("Department"). The Department appreciates the opportunity to provide testimony on Senate Bill No. 2490, S.D. 2, H.D. 1, Relating to Continuing Competency for Nurses.

The Department is requesting that SECTION 5 of the bill be deleted from the measure. As the Department has been working in collaboration with the Center for Nursing, the Department does not feel there is a need to convene a stakeholder group to address outstanding issues associated with the implementation of the continuing

Testimony on Senate Bill No. 2490, S.D. 2, H.D. 1

Monday, March 31, 2014

Page 2

competence requirements. The implementation phase will be the responsibility of the State Board of Nursing, who will be working very closely with the Center for Nursing on the requirements for continuing competence.

Thank you for the opportunity to provide testimony on Senate Bill No. 2490, S.D. 2, H.D. 1. The Department asks for your thoughtful consideration of the removal of SECTION 5 from the measure.



## HAWAI'I PACIFIC HEALTH

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**Monday, March 31, 2014; 2:10 pm**  
**Conference Room 325**

### **The House Committee on Consumer Protection & Commerce**

To: Representative Angus McKelvey, Chair  
Representative Derek Kawakami, Vice Chair

From: Art Gladstone RN MBA  
Chief Nurse Executive – Hawai'i Pacific Health  
Chief Executive Officer – Straub Clinic & Hospital

**Re: SB 2490, SD2, HD1 Relating To Continuing Competency For Nurses  
Testimony in Support**

My name is Art Gladstone, Chief Nurse Executive at Hawai'i Pacific Health (HPH) and Chief Executive Officer at Straub Clinic & Hospital. HPH is a nonprofit health care system and the state's largest health care provider, committed to providing the highest quality medical care and service to the people of Hawai'i and the Pacific Region through its four affiliated hospitals, 44 outpatient clinics and more than 2,200 physicians and clinicians. The network is anchored by its four nonprofit hospitals: Kapi'olani Medical Center for Women & Children, Kapi'olani Medical Center at Pali Momi, Straub Clinic & Hospital and Wilcox Memorial Hospital. Collectively, they lead the state in the areas of women's health, pediatric care, cardiovascular services, bone and joint services and cancer care. HPH ranks among the top 3.8 percent of hospitals nationwide in electronic medical record adoption, with system-wide implementation that allows its hospitals to offer integrated, coordinated care throughout the state.

I am writing in support of SB 2490, SD2, HD1 which would require licensed registered nurses and licensed practical nurses to submit evidence of continuing competency at each renewal period, beginning with the June 30, 2017 licensing biennium.

The Continuing Education Joint Advisory Committee (CEJAC) which was established by SCR 167 in 2010 determined that a Continuing Competency Program (self-assessment + CE) is preferable to a simple CE program. In its three reports to the Legislature between 2010 and 2012, the CEJAC proposed a Continuing Competency Program for Hawai'i that would allow for the ongoing application of knowledge and the decision-making, psychomotor, and interpersonal skills expected of the licensed registered and practical nurse within a specific practice setting resulting in nursing care that contributes to the health and welfare of clients served.

Although SB 2490, SD1, HD1, includes most of the elements of the Continuing Competency Program proposed by the CEJAC, some of the key elements were deleted from the measure at the last hearing. We believe the deleted sections are necessary components of the continuing competency program. Thus, we ask that this committee reinsert the deleted sections. Thank you for the opportunity to provide this testimony.



Affiliates of Hawai'i Pacific Health



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**Monday – March 31, 2014 – 2:10pm**  
**Conference Room 325**

**The House Committee on Consumer Protection and Commerce**

To: Representative Angus L.K. McKelvey, Chair  
Representative Derek S.K. Kawakami, Vice Chair

From: George Greene  
President & CEO  
Healthcare Association of Hawaii

Re: **Testimony in Support**  
**SB 2490, SD2, HD1— Relating to Continuing Competency For Nurses**

The Healthcare Association of Hawaii (HAH) is a 116-member organization that includes all of the acute care hospitals in Hawaii, the majority of long term care facilities, all the Medicare-certified home health agencies, all hospice programs, as well as other healthcare organizations including durable medical equipment, air and ground ambulance, blood bank and respiratory therapy. In addition to providing quality care to all of Hawaii's residents, our members contribute significantly to Hawaii's economy by employing nearly 20,000 people statewide.

Thank you for the opportunity to testify in support of SB 2490, SD2, HD1, which would require licensed registered nurses and licensed practical nurses to submit evidence of continuing competency at each renewal period, beginning on July, 2017.

HAH is committed to working with providers across the continuum of care toward a healthcare system that offers the best possible quality of care to the residents of the state, and SB 2490, SD2, HD1 would be a positive contribution toward that goal.

Thank you for the opportunity to testify in support of SB 2490, SD2, HD1.



**Written Testimony Presented Before the  
House Committee on Consumer Protection and Commerce  
March 31, 2014 2:10 p.m.  
Conference Room 325  
by  
Kathy Yokouchi, Policy Analyst  
Hawaii State Center for Nursing  
University of Hawai'i at Manoa**

**SB 2490, SD2, HD1 RELATING TO NURSING**

Chair McKelvey, Vice Chair Kawakami, and members of the House Committee on Consumer Protection and Commerce, thank you for this opportunity to provide testimony in support of the intent of this bill, SB 2490, SD1, HD1.

The Hawaii State Center for Nursing supports the Continuing Education Joint Advisory Committee (CEJAC-established by Senate Resolution, SCR 167 S.D. 2, 2010 )<sup>1</sup> determination that a Continuing Competency Program (self-assessment + CE) is preferable to simple CE program. In its three reports<sup>2</sup> to the Legislature between 2010 and 2012, the CEJAC proposed a Continuing Competence Program for Hawai'i that would allow for the ongoing application of knowledge and the decision-making, psychomotor, and interpersonal skills expected of the licensed registered and practical nurse within a specific practice setting resulting in nursing care that contributes to the health and welfare of clients served.

Although SB 2490, SD1, HD1, includes most of the elements in the Continuing Competency Program proposed by the CEJAC , some are deleted<sup>3</sup>. While the Hawaii State Center for Nursing hopes that the attached provisions will be reinserted into the bill, we defer to the wisdom of the Legislature to determine this.

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<sup>1</sup> See attachment 1 for CEJAC composition

<sup>2</sup> [http://hawaii-center-for-nursing.org/continuing\\_education\\_joint\\_action\\_committee](http://hawaii-center-for-nursing.org/continuing_education_joint_action_committee)

<sup>3</sup> See attachment 2

Therefore, the Hawaii State Center for Nursing respectfully requests that this Committee consider reinsertion of the attached provisions and supports passage of this measure. We appreciate your continuing support of nursing in Hawai'i. Thank you for the opportunity to testify.

Attachment 1

CONTINUING EDUCATION JOINT ADVISORY COMMITTEE

American Organization of Nurse Executives  
Department of Commerce & Consumer Affairs  
Filipino Nurses Organization  
Hawaii Association of Professional Nurses  
Hawaii Community College  
Hawaii Health Systems Corporation  
Hawaii Long Term Care Association  
Hawaii Medical Center  
Hawaii Association of Nurse Anesthetists  
Hawaii Association of Nurse Practitioners  
Hawaii Nurses Association  
Hawaii Pacific Health  
Hawaii Pacific University  
Healthcare Association of Hawaii  
Kaiser Permanente Hawaii  
Kapiolani Community College  
Kauai Community College  
Kuakini Health System  
Maui Community College  
Philippine Nurses Association  
State of Hawaii Board of Nursing  
The Queen's Medical Center  
University of Hawaii at Hilo  
University of Hawaii at Manoa  
University of Phoenix  
HSCFN Board Members  
Wilcox Hospital  
Hawaii Pacific University

Attachment 2

**Activities which do not meet the requirements for continuing competency :**

- (1) Offerings designed for lay persons;
- (2) Offerings less than thirty minutes in duration;
- (3) On-the-job orientation;
- (4) On-the-job training related to new policies, procedures, or equipment; or
- (5) Other educational activities not sufficiently professional in character to

reasonably qualify as continuing education.

(f) Acceptable documentation for completion of the learning activities under subsection (d) includes the following evidence:

(1) For national certification or recertification: a copy of a certificate that includes the name of the licensee, name of the certifying body, date of certification, and date of certification expiration. Certification shall be initially attained during the licensure period, have been in effect during the entire licensure period, or have been recertified during the licensure period;

(2) For contact hours of continuing education: the name of the licensee, title of educational activity, name of the provider, number of contact hours, and date of activity;

(3) For a board approved refresher course: written correspondence from the provider with the name of the licensee, name of the provider, and verification of successful completion of the refresher course;

(4) For post-licensure academic education: a copy of the licensee's transcript with the name of the licensee, name of the educational institution, dates of attendance, name of course with grade, and number of credit hours received. Coursework shall demonstrate relevance to nursing, health, or both;

(5) For a nursing project: an abstract or summary of the project, the name of the licensee, role of the licensee as principal or co-principal investigator, date of project completion, statement of the problem, project objectives, methods used, and summary of findings;

(6) For authoring or co-authoring a peer reviewed published nursing-related article, paper, book, or book chapter: a copy of the publication, including the name of the licensee and the publication date;

(7) For developing and conducting a nursing education presentation or presentations totaling at least five contact hours: a copy of the program brochure or course syllabi, objectives, content, and teaching methods, and date and location of presentation; and

(8) For six hundred forty hours of active practice in nursing: name of the licensee, number of hours worked in a calendar or fiscal year, name and address of the employer, and signature of supervisor. If self-employed, hours worked may be validated through other

methods, such as tax records or other business records. If active practice is of a volunteer or gratuitous nature, hours worked may be validated by the recipient agency.

**Authorized providers of continuing competence units.** (a) Continuing education may be taken in a conventional classroom setting, via online courses, professional journals, correspondence, or other emerging venues.

(b) Continuing competence units shall be obtained from the following authorized providers:

(1) Any provider, recognized by a national credentialing body, offering certification in the licensed nurse's specialty area of practice, including but not limited to: American Nurses Credentialing Center Commission on Certification; Oncology Nursing Certification Corporation; Board of Certification for Emergency Nursing; National Association for Practical Nurse Education and Service, Inc.; and National Commission for Health Education Credentialing, Inc.;

(2) Any provider, recognized by a national credentialing body, offering certification to nurse practitioners, nurse midwives, nurse anesthetists, or clinical nurse specialists, including but not limited to: American Nurses Credentialing Center Commission on Certification; American Academy of Nurse Practitioners; National Certification Corporation; Pediatric Nursing Certification Board; and Council on Certification of Nurse Anesthetists;

(3) American Nurses Association, or any state professional nurses association with standards equal to or greater than the State's standards;

(4) Area Health Education Centers in the State or any state Area Health Education Center that is a member of the National Area Health Education Center Organization;

(5) National League for Nursing;

(6) National Association for Practical Nurse Education and Service, Inc.;

(7) National Federation of Licensed Practical Nurses;

(8) Any state board of nursing with standards equal to or greater than the State's standards;

(9) National Council of State Boards of Nursing;

(10) Employer-sponsored continuing education programs having a minimum of one course objective; provided that employer-sponsored continuing education may only be used for up to fifty per cent of total contact hours unless the program is accredited through one of the authorized providers in this subsection;

(11) Any provider of professional continuing education for health care professionals recognized by the board, with offerings related to specialty areas of nursing practice such as research, case management, health policy, forensics, mental health, or complementary alternative therapies offered by entities including but not limited to the Commission for Case Manager Certification, National Association for Healthcare Quality, or American Legal Nurse Consultant Certification Board;



(12) Professional journals such as American Journal of Nursing, Nursing 2006, Nursing Management, Journal of Practical Nursing, and The Nurse Practitioner, offering continuing education approved by authorized providers including but not limited to: American Nurses Credentialing Center; American Association of Critical-Care Nurses; and National Association for Practical Nurse Education and Service, Inc.

**Record keeping for continuing competence.** (a) Each licensee shall keep and maintain records showing that each course or activity for which credit is claimed has been completed.

(b) These records shall reflect the title of the course or activity, the date taken or completed, and the record of participation.

(c) Each licensee shall retain records required pursuant to this section for a period of four years after the course or activity concludes. Each licensee shall provide copies of the records to the board or its designee within fourteen calendar days after being requested to provide such documentation.

**Continuing competence; acceptable contact hours or continuing education units.** (a) The following are acceptable contact hours or continuing education units that fulfill the continuing competence requirements of this chapter:

(1) One contact hour shall be equivalent to sixty minutes of instruction;

(2) One contact hour shall be equivalent to sixty minutes of clinical or laboratory practice in an informal offering or a minimum of fifty minutes of actual organized instruction;

(3) One continuing medical education unit shall be equivalent to one contact hour of instruction; and

(4) One continuing education unit shall be equivalent to ten contact hours of instruction.

(b) Academic credit shall be converted to contact hours as follows:

(1) One quarter academic credit shall be equivalent to twelve and one-half contact hours; and

(2) One semester academic credit shall be equivalent to fifteen contact hours.

(c) Contact hour equivalencies shall be as follows:

(1) One continuing education unit shall be equivalent to ten contact hours;

(2) One continuing medical education credit shall be equivalent to sixty minutes;

and

(3) One American Medical Association credit shall be equivalent to sixty minutes."

**PRESENTATION OF THE  
BOARD OF NURSING**

TO THE HOUSE COMMITTEE ON  
CONSUMER PROTECTION AND COMMERCE

TWENTY-SEVENTH LEGISLATURE  
Regular Session of 2014

Monday, March 31, 2014  
2:10 p.m.

**TESTIMONY ON SENATE BILL NO. 2490, S.D. 2, H.D. 1, RELATING TO  
CONTINUING COMPETENCY FOR NURSES.**

TO THE HONORABLE ANGUS L.K. MCKELVEY, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

My name is Lee Ann Teshima, Executive Officer of the Board of Nursing ("Board"). I appreciate the opportunity to testify on Senate Bill No. 2490, S.D. 2, H.D. 1, Relating to Continuing Competency for Nurses, that would require licensed registered and licensed practical nurses to complete a self-assessment of practice to determine a level of competency, develop a plan for continued learning, and select and implement a learning activity option.

The Board supports this bill with the following amendments:

- Page 4, line 5, include the word "the" before "principal";
- Page 5, lines 12 and 15, change "continuing education" to "continuing competence learning activity options" in both lines;
- Page 6, lines 17 through 18, should read as follows: "The board may consider requests for extensions on a case-by-case basis and may require additional documentation from the nurse".;

- Page 6, lines 18 through 21, should read as follows: “Extensions shall not be granted unless proof deemed appropriate and sufficient by the board that the extension is warranted and that the applicant is capable of safe practice is submitted by the licensee”;
- Page 10, Section 5, should be deleted as the Board feels it is not necessary to convene a stakeholder group. The Joint Committee of the Hawaii State Center for Nursing has spent the last three years working on the contents of this bill and the Board appreciates the research and work accomplished by the Joint Committee, but should this bill pass, the implementation of the continuing competence program will be the Board’s responsibility. However, based on the ongoing collaborative working relationship with the Hawaii State Center for Nursing, the Board determined that it will be able to consult and share information with the Joint Committee and that mandating a stakeholder group is not necessary.

Thank you for the opportunity to provided testimony on Senate Bill No. 2490,  
S.D. 2, H.D. 1.

## kawakami3-Benigno

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Thursday, March 27, 2014 9:23 PM  
**To:** CPCtestimony  
**Cc:** teresa.parsons@hawaii.edu  
**Subject:** Submitted testimony for SB2490 on Mar 31, 2014 14:10PM

### **SB2490**

Submitted on: 3/27/2014

Testimony for CPC on Mar 31, 2014 14:10PM in Conference Room 325

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Teresa Parsons	Individual	Support	No

Comments: Honorable Senators, We have an obligation to provide the highest level of competency to the people of Hawai'i and the public health. Mandating continuing competency for nurses makes sense to ensure all nurses are practicing with the most current knowledge. This is not a significant burden on individual nurses as there are many opportunities to engage in ongoing education through venues at little to no cost for the nurse. Yet, the benefit of this ongoing education and competency maintenance will reap tremendous benefits to patient care and safety. I encourage you to move this measure forward as written, with an implementation date of NLT 2017. Mahalo for this opportunity to submit testimony in STRONG SUPPORT of this legislation.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**Written Testimony Presented Before the  
House Committee on Consumer Protection and Commerce  
March 31, 2014 2:10 p.m.  
by  
Glenda Tali, RN, APRN**

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**SB 2490, SD2, HD1 RELATING TO NURSING**

Chair McKelvey, Vice Chair Kawakami, 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 2490, SD2, HD1.

Addressing the needs and interests of the people of Hawai'i includes ensuring that quality health care is easily accessible to consumers throughout the State. Nurses are critical to the successful implementation of health care reform. Continuing education plays a significant role in nursing professionals' ongoing development and for the betterment of the patients they serve. The individual nurse must embrace lifelong learning as an essential key to delivering safe high quality patient care.

However, continuing education must be reframed to focus on the desired outcome – a nurse competent to deliver quality health care. Continuing education must include a personal self-assessment tool to guide the continuing competency activity to ensure that nurses engage

in lifelong learning as recommended by Institute of Medicine (IOM)<sup>1</sup> which is included in SB 2490, SD2, HD1. The IOM determined that a Continuing Competency Program (self-assessment + CE) is preferable to simple CE program. Continuing competence is the ongoing application of knowledge and the decision-making, psychomotor, and interpersonal skills expected of the licensed nurse within a specific practice setting resulting in nursing care that contributes to the health and welfare of clients served.

Therefore, Glenda Tali, RN, APRN respectfully requests that this Committee pass SB 2490, SD2, HD1, to enable further discussion. Thank you for the opportunity to testify.

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• <sup>1</sup> Recommendation #6 of the recently released Institute of Medicine (IOM) *Future of Nursing Report* is to “ensure that nurses engage in lifelong learning”. The recommendation further suggests that, “accrediting bodies, schools of nursing, health care organizations and continuing competency educators from multiple health professions should collaborate to ensure that nurses and nursing students and faculty continue their education and engage in lifelong learning to gain competencies needed to provide care for diverse populations across lifespan.” Learning takes place in many forms.