

JAN 15 2014

A BILL FOR AN ACT

RELATING TO CONTINUING EDUCATION FOR NURSES.

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

1 SECTION 1. The legislature finds that Hawaii is one of
2 only fifteen states that do not require continuing education as
3 a condition of license renewal for nurses. The legislature
4 further finds that health care professionals, including nurses,
5 must continue learning throughout their careers to maintain up-
6 to-date knowledge and skills for the benefit of their patients.
7 Mandating continuing education is a way to ensure that nurses
8 provide the highest quality of care to patients and meet public
9 expectations for quality and safety.

10 Accordingly, the purpose of this Act is to require nurses
11 to complete a minimum of thirty hours of continuing education
12 during each two-year license period, beginning with the renewal
13 for the licensing biennium commencing on July 1, 2015.

14 SECTION 2. Section 457-9, Hawaii Revised Statutes, is
15 amended to read as follows:

16 "**§457-9 Renewal of license; continuing education; denial,**
17 **suspension, or revocation of license for default of student**
18 **loan, student loan repayment contract, or scholarship contract;**



1 **inactivation and reactivation of license; restoration of**
2 **forfeited license.** (a) The license of every person licensed,
3 recognized, or granted prescriptive authority shall expire on
4 June 30 of every odd-numbered year and shall be renewed
5 biennially, except as provided in this section. Biennially in
6 each odd-numbered year, the board shall make available an
7 application for renewal of license before the deadline set forth
8 by the board to every person to whom a license was issued or
9 renewed during the biennium. The applicant shall complete the
10 application and submit it to the board with a renewal fee and
11 all required documents on or before the deadline set by the
12 board. The applicant shall provide documents from proper
13 agencies or parties of any criminal conviction or any
14 disciplinary action taken or pending in this State or any other
15 state in the United States or any territory or possession under
16 the jurisdiction of the United States within the two years prior
17 to application for renewal of license. Upon receipt of the
18 application [~~and~~], fee, and certification regarding compliance
19 with the continuing education requirements of subsection (b),
20 the board shall verify the accuracy of the application and issue
21 to the applicant a certificate of renewal for the biennium
22 expiring two years hence on the deadline set by the board. The



1 renewal shall render the holder thereof a legal practitioner of
2 nursing for the period stated on the renewal form.

3 (b) Beginning with the renewal for the licensing biennium
4 commencing on July 1, 2015, and prior to every biennium renewal
5 thereafter, each licensee shall complete a minimum of thirty
6 hours of continuing education or its equivalent as determined by
7 the board within the renewal period; provided that a first time
8 licensee shall not be subject to the continuing education
9 requirement for the first license renewal.

10 (c) Each licensee shall maintain the licensee's continuing
11 education records. At the time of renewal, each licensee shall
12 certify under oath that the licensee has complied with the
13 continuing education requirement of this section. The board may
14 require a licensee to submit evidence satisfactory to the board
15 that demonstrates compliance with the continuing education
16 requirement of this section. The board may conduct random
17 audits of licensees to determine compliance with continuing
18 education requirements. The board shall provide written notice
19 of an audit to a licensee randomly selected for audit. Within
20 sixty days of notification, the licensee shall provide the board
21 with documentation verifying compliance with the continuing
22 education requirement established by this section.



1 [~~(b)~~] (d) Any licensee who fails to renew a license as
2 provided in [~~subsection (a)~~] this section but continues to
3 practice shall be considered an illegal practitioner and shall
4 be subject to the penalties provided for violations of this
5 chapter. The failure to timely renew a license, the failure to
6 pay all applicable fees, the dishonoring of any check upon first
7 deposit, or the failure to comply with any other requirement
8 provided by law shall cause the license to be automatically
9 forfeited; provided that the person's license may be restored by
10 the board within two years after the date of forfeiture upon
11 compliance with the licensing renewal fees, penalty fees, and
12 compliance resolution fund fees.

13 A nurse who does not intend to practice nursing in the
14 State and elects to be placed on inactive status shall so
15 indicate in writing during the license renewal period or by so
16 indicating on the license renewal application, and paying
17 inactivation and all appropriate fees. Should the nurse wish to
18 resume nursing at some future time, the nurse shall notify the
19 board in writing and remit the reactivation and renewal fees and
20 application form as provided in subsection (a). A nurse who has
21 not actively practiced in this State or any other state in the
22 United States or any territory or possession under the



1 jurisdiction of the United States for more than five years may
2 be required by the board to submit proof of continued competency
3 by retaking and passing the licensing examination or
4 successfully completing appropriate continuing education
5 recognized by the board.

6 [~~e~~] (e) Notwithstanding any provision in this chapter to
7 the contrary, the board shall not renew or reinstate, or shall
8 deny, suspend, or revoke, any license or application if the
9 board has received certification from an administering entity
10 pursuant to chapter 436C that the licensee or applicant is in
11 default or breach of any obligation under any student loan,
12 student loan repayment contract, or scholarship contract that
13 financed the licensee's or applicant's education, or has failed
14 to comply with a repayment plan.

15 The board, in receipt of a certification pursuant to
16 chapter 436C, as applicable, and without further review or
17 hearing, shall:

- 18 (1) Suspend the license;
- 19 (2) Deny the application or request for renewal of the
20 license; or
- 21 (3) Deny the request for reinstatement of the license,



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1 and unless otherwise provided by law, shall renew, reinstate, or
2 grant the license only upon receipt of an authorization from the
3 administering entity."

4 SECTION 3. Statutory material to be repealed is bracketed
5 and stricken. New statutory material is underscored.

6 SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Nurses; Nursing; Continuing Education; Licensing; Renewal

Description:

Beginning with the renewal for the licensing biennium commencing on July 1, 2015, requires nurses to complete a minimum of thirty hours of continuing education during each two-year license period.

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