

JAN 22 2016

A BILL FOR AN ACT

RELATING TO PHYSICIAN ASSISTANTS.

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. Chapter 457, Hawaii Revised Statutes,
5 relating to nurses, requires licensed practical nurses and
6 registered nurses to administer orders given by physician
7 assistants. However, that same law is absent in chapter 453,
8 Hawaii Revised Statutes, relating to medicine and surgery.
9 Act 255, Session Laws of Hawaii 2012, requires registered
10 nurses and licensed practical nurses to follow the orders of
11 physician assistants but sunsets on July 1, 2017. The
12 legislature finds that physician assistants are an invaluable
13 component in the delivery of health care services.

14 The purpose of this Act is to:

15 (1) Set out the authority of physician assistants
16 regarding nurses under the chapter of the Hawaii



1 Revised Statutes relating to medicine and surgery,
2 rather than under certain term definitions; and
3 (2) Make permanent Act 255, Session Laws of Hawaii 2012.

4 SECTION 2. Chapter 453, Hawaii Revised Statutes, is
5 amended by adding a new section to be appropriately designated
6 and to read as follows:

7 "§453- Physician assistant authority regarding nurses.

8 A registered nurse or a licensed practical nurse shall comply
9 with the orders of a physician assistant licensed under this
10 chapter who is practicing with physician supervision as required
11 by this chapter and acting as the agent of the supervising
12 physician."

13 SECTION 3. Section 457-2, Hawaii Revised Statutes, is
14 amended as follows:

15 1. By amending the definition of "the practice of nursing
16 as a licensed practical nurse" to read:

17 ""The practice of nursing as a licensed practical nurse"
18 means the performance of those acts commensurate with the
19 required educational preparation and demonstrated competency of
20 the individual, whereby the individual shall be accountable and
21 responsible to the consumer for the quality of nursing care



1 rendered. The foregoing may include, but shall not be limited
2 to: implementation of basic nursing procedures in the plan of
3 care; observing and caring for individuals at all levels of the
4 health spectrum, giving counsel and acting to safeguard life and
5 health and functioning as a part of the health care team, under
6 the direction of a dentist, physician, osteopathic physician,
7 registered nurse, or podiatrist licensed in accordance with
8 chapter 448, 453, 457, or 463E[, ~~or under the orders of a~~
9 ~~physician assistant licensed pursuant to chapter 453, practicing~~
10 ~~with physician supervision as required by chapter 453, and~~
11 ~~acting as the agent of the supervising physician];
12 administration of treatment and medication as prescribed;
13 promotion of health maintenance of individuals, families, or
14 groups; or teaching and supervision of auxiliary personnel."~~

15 2. By amending the definition of "the practice of nursing
16 as a registered nurse" to read:

17 "The practice of nursing as a registered nurse" means the
18 performance of professional services commensurate with the
19 educational preparation and demonstrated competency of the
20 individual having specialized knowledge, judgment, and skill
21 based on the principles of the biological, physical, behavioral,



1 and sociological sciences and nursing theory, whereby the
2 individual shall be accountable and responsible to the consumer
3 for the quality of nursing care rendered. The foregoing may
4 include but shall not be limited to observation, assessment,
5 development, implementation, and evaluation of a plan of care,
6 health counseling, supervision and teaching of other personnel,
7 and teaching of individuals, families, and groups in any stage
8 of health or illness; administration, supervision, coordination,
9 delegation, and evaluation of nursing practice; provision of
10 health care to the patient in collaboration with other members
11 of the health care team as autonomous health care professionals
12 providing the nursing component of health care; [œ] use of
13 reasonable judgment in carrying out prescribed medical orders of
14 a licensed dentist, physician, osteopathic physician, or
15 podiatrist licensed in accordance with chapter 448, 453, or
16 463E; or orders of an advanced practice registered nurse
17 licensed in accordance with this chapter[, ~~or the orders of a~~
18 ~~physician assistant licensed pursuant to chapter 453, practicing~~
19 ~~with physician supervision as required by chapter 453, and~~
20 ~~acting as the agent of the supervising physician].~~



1 SECTION 4. Act 255, Session Laws of Hawaii 2012, is
2 amended by amending section 5 to read as follows:

3 "SECTION 5. This Act shall take effect upon its approval
4 [~~and shall be repealed on July 1, 2017; provided that the~~
5 ~~definitions of "the practice of nursing as a licensed practical~~
6 ~~nurse" and "the practice of nursing as a registered nurse" under~~
7 ~~section 457-2, Hawaii Revised Statutes, shall be reenacted in~~
8 ~~the form in which they read on the day prior to the effective~~
9 ~~date of this Act]."~~

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

12 SECTION 6. This Act shall take effect upon its approval.
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INTRODUCED BY:

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S.B. NO. 2676

Report Title:

Physician Assistants; Nurses

Description:

Clarifies powers of physician assistants regarding nurses under chapter regulating physicians. Removes sunset date of Act 255, SLH 2012.

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

