

STAND. COM. REP. NO. **2110**

Honolulu, Hawaii

FEB 11 2016

RE: S.B. No. 2677
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2016
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred S.B. No. 2677 entitled:

"A BILL FOR AN ACT RELATING TO NURSING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish criminal history record check requirements for all nurse licensure applicants and license renewal applicants; and
- (2) Authorize the Board of Nursing to develop rules necessary to implement the required criminal history record checks for nurses.

Your Committee received testimony in support of this measure from the Department of Public Safety, Hawaii State Center for Nursing, University of Hawai'i at Manoa School of Nursing and Dental Hygiene, Hawai'i Pacific Health, and five individuals. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from the Board of Nursing.

Your Committee finds that it is in the best interest of the nursing workforce in Hawaii to ensure safe and quality nursing services are provided to patients in the State. Establishing criminal history record checks for nurses is one way to protect consumers and enhance public safety. Your Committee further finds

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that the National Council of State Boards of Nursing has proposed a standard, for all states to adopt, that requires a biometrics-based state and federal criminal background check for all nursing applicants, consistent with Public Law No. 92-544. The American Nurses Association and the Council of State Governments also support the use of criminal background checks as part of the nursing licensure process.

Your Committee additionally finds that, according to testimony by the Board of Nursing, the number of active licensed nurses, as of the latest geographic report, was 25,865. Your Committee has heard the concerns of the Board of Nursing regarding the workload and implementation issues that will arise if all current and new licensees are expected to meet the record check requirements by the next licensing biennium, which begins July 1, 2017. Your Committee understands these concerns and believes a delayed implementation date for licensure renewal applicants is appropriate.

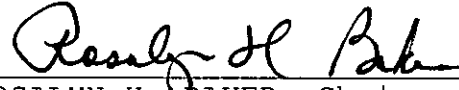
Accordingly, your Committee has amended this measure by:

- (1) Specifying that the fingerprints required to be submitted for purposes of criminal history record checks shall be electronic fingerprints;
- (2) Clarifying that the criminal history record check requirements proposed by this measure shall begin with the July 1, 2017, licensing biennium for all new nurse licensure applicants;
- (3) Clarifying that the criminal history record check requirements proposed by this measure shall begin with the July 1, 2019, licensing biennium for all nurse licensure renewal applicants; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2677, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2677, S.D. 1, and be referred to your Committee on Judiciary and Labor.



Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair



