

Honolulu, Hawaii

MAR 03 2016

RE: S.B. No. 2677  
S.D. 2

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

Sir:

Your Committee on Judiciary and Labor, to which was referred  
S.B. No. 2677, S.D. 1, 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) Authorize the state Board of Nursing to develop rules necessary to implement mandatory criminal history record checks;
- (2) Beginning with the July 1, 2017, licensing biennium, require all new nurse licensure applicants to submit electronic fingerprints for criminal history record check purposes; and
- (3) Beginning with the July 1, 2019, licensing biennium, require all nurse licensure renewal applicants to submit electronic fingerprints for criminal history record check purposes.

Your Committee received testimony in support of this measure from the University of Hawai'i at Mānoa School of Nursing and Dental Hygiene; Hawai'i Pacific Health; Hawai'i State Center for Nursing; The American Organization of Nurse Executives, Hawaii Chapter; and five individuals. 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 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. This measure provides compliance with professional and government standards.

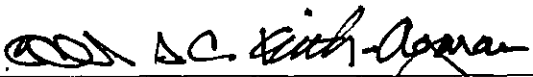
Your Committee has amended this measure by:

- (1) Adopting the language suggested by the Board of Nursing that:
  - (A) Adds reactivation of licenses as a Board of Nursing duty;
  - (B) Requires the Board of Nursing to request, beginning July 1, 2017, criminal history records of qualified applicants and request, no later than July 1, 2023, criminal history records required for licensees who were issued licenses by the Board prior to July 1, 2017; and
  - (C) Requires the Hawaii Criminal Justice Data Center to provide to the Director of Commerce and Consumer Affairs requested information;
- (2) Inserting an effective date of January 7, 2059, to encourage further discussion; and
- (3) 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 Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2677, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2677, S.D. 2.



Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary and  
Labor,

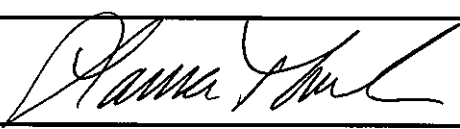


GILBERT S.C. KEITH-AGARAN, Chair



The Senate  
 Twenty-Eighth Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Judiciary and Labor**  
**JDL**

Bill / Resolution No.:* <b>SB 2677 SD1</b>	Committee Referral: <b>CPH, JDL</b>	Date: <b>2/26/16</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEITH-AGARAN, Gilbert S.C. (C)	/			
SHIMABUKURO, Maile S.L. (VC)				/
GABBARD, Mike	/			
KAHELE, Kaialii	/			
KIM, Donna Mercado				/
THIELEN, Laura H.	/			
SLOM, Sam				/
<b>TOTAL</b>	<b>4</b>			<b>3</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes