

**Written Testimony Presented Before the
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by
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HB1756, HD3, SD1 RELATING TO NURSING

Chairs Kieth-Agaran and Tokuda and Vice Chairs Shimabukuro and Dela Cruz, and members of the Senate Committee on Judiciary and Labor and Ways and Means, thank you for this opportunity to provide testimony in strong support for HB1756, HD3, SD1 Relating to Nursing.

In 2010, the Legislature in its wisdom, introduced Act 057, which was enacted into law as HRS 457-2.5. This statute defined the practice of nursing and directed the state board of nursing to adopt certain provisions of the National Council of State Boards of Nursing (NCSBN) Model Nursing Practice Act which provides uniform national guidelines relating to nursing practice for all state boards of nursing across the United States and territories. The Hawai'i State Center for Nursing (HSCN) supports HB1756, HD3, SD1 in the interest of continuing to hold nurses in Hawai'i to the national standards established by the NCSBN and its delegates.

The HSCN supports this measure because:

- The Legislature has adopted progressive nurse education and practice laws based on nationally recognized nursing education and certification standards
- Hawaii is among a handful of states in the Nation which have met the high standards of the NCSBN's APRN Consensus Model following the recommendations of the Institute of Medicine.
- However, Hawai'i has the highest regulatory standards for nursing yet it is one of the last 12 states to adopt state and federal criminal background check verification for all nurse licenses.
- It is in the interest of the nursing workforce to ensure safe and quality nursing services to patients, which include sick, disabled, elderly, and other vulnerable populations across the continuum of healthcare and in all regions of our State.
- Establishing criminal background checks is critical for increased safety of Hawai'i consumers.
- The Hawai'i Board of Nursing should not have the burden of receiving fingerprints or verifying an applicant's or licensee's criminal background as it lacks expertise and resources to do so.
- It is critical that the Hawai'i Board of Nursing defer to the Hawai'i Criminal Justice Center, FBI, police department and professional fingerprinting analysts such as Fieldprint, Inc. or

other nationally recognized agencies to electronically verify an applicant's or licensee's criminal background status;

- NCSBN¹ proposes this standard, for all states to adopt, to require a biometrics-based state and federal criminal background check for all applicants consistent with Public Law 92-544.
- The American Nurses Association² and the Council of State Governments³ supports the use of criminal background checks as part of the nursing licensure process. Applicants for nurse licensure with criminal histories may not reveal a positive criminal history on applications and fingerprint-based background checks are an effective tool to identify past criminal behavior and ensure ongoing patient safety.

The HSCN is in support of this measure in its current SD1 as it requires the Hawai'i Criminal Justice Data Center to provide to the Director of Commerce and Consumer Affairs requested information, removing this responsibility from the Hawai'i BON. It also maintains the graduated implementation for new licensees and renewing licensees over the next four license cycles. There are currently 22,216 Registered Nurses, which includes 1,267 Advanced Practice Registered Nurses, and 2,382 Practical Nurses licensed in Hawai'i as of January 26, 2016 DCCA Professional and Vocational Licensing Division data⁴. The HSCN estimates a flat growth from LPNS, a growth rate of 4.4% for RNs and 6.6% for APRNS using licensing data from 2005 to 2015. An graduates roll out for existing licensees between 2019 and 2023 will ensure success in the implementation of criminal background checks this estimates population of 24,000 licenses LPNs, RNs and APRNs.

Therefore, the HSCN respectfully requests that HB1756, HD3, SD1 pass unamended. We appreciate your continuing support of nursing in Hawai'i. Thank you for the opportunity to testify.

¹ https://www.ncsbn.org/NCSBN_Approved_Standard_CBC.pdf

² <http://www.nursingworld.org/DocumentVault/Position-Statements/Practice/Criminal-Background-Checks-for-Nurse-Licensure.pdf>

³ https://www.ncsbn.org/CSG_Resolution.pdf

⁴ http://cca.hawaii.gov/pvl/files/2013/06/WebGeo_012616.pdf page 38