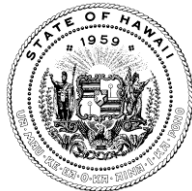


DAVID Y. IGE
GOVERNOR

SHAN S. TSUTSUI
LIEUTENANT GOVERNOR



LINDA CHU TAKAYAMA
DIRECTOR

LEONARD HOSHIO
DEPUTY DIRECTOR

**STATE OF HAWAII
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

830 PUNCHBOWL STREET, ROOM 321

HONOLULU, HAWAII 96813

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Phone: (808) 586-8844 / Fax: (808) 586-9099

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March 31, 2016

To: The Honorable Sylvia Luke, Chair,
The Honorable Scott Y. Nishimoto Vice Chair, and
Members of the House Committee on Finance

Date: Friday, April 1, 2016

Time: 11:00 a.m.

Place: Conference Room 308, State Capitol

From: Linda Chu Takayama, Director
Department of Labor and Industrial Relations (DLIR)

Re: S.B. 2672 S.D. 1 H.D. 1 Relating to Advanced Practice Registered Nurses

I. OVERVIEW OF PROPOSED LEGISLATION

SB2672 SD1HD1 proposes to amend various statutes including sections 386-1 and 386-27, Hawaii Revised Statutes ("HRS"), of the Workers' Compensation Law to include Advanced Practice Registered Nurses ("APRN") in the definition of health care provider.

The department supports this measure.

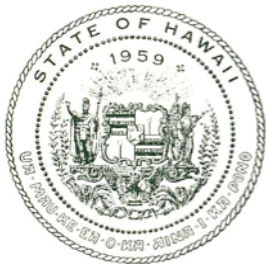
II. CURRENT LAW

Section 386-1, HRS, defines "health care provider" as a person qualified by the director to render health care and service and has a license for the practice of Medicine, Dentistry, Chiropractic, Naturopathic, Optometry, Podiatry, and Psychology. Section 386-27, HRS, establishes the qualifications and duties of those health care providers.

III. COMMENTS ON THE SENATE BILL

The department supports this proposal. The intent of the Workers' Compensation law is to provide adequate and proper medical care to the injured worker to insure maximum medical improvement of conditions resulting from industrial injuries and to return the injured worker to the work force as quickly as the process allows. APRNs are important contributors to those objectives.

HAWAII
STATE
COMMISSION
ON THE
STATUS
OF
WOMEN



Chair
LESLIE WILKINS

COMMISSIONERS:

SHERRY CAMPAGNA
CYD HOFFELD
MARILYN LEE
JUDY KERN
AMY MONK
LISA ELLEN SMITH

Executive Director
Catherine Betts

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/hscsw/

235 S. Beretania #407
Honolulu, HI 96813
Phone: 808-586-5758
FAX: 808-586-5756

March 31, 2016

To: Representative Sylvia Luke, Chair
Representative Scott Nishimoto, Vice Chair
Members of the House Committee on Finance

From: Cathy Betts
Executive Director
Hawaii State Commission on the Status of Women

Re: Testimony in Support, SB 2672, SD1, HD1

Thank you for this opportunity to provide testimony in strong support of SB 2672, SD1, HD1. Advanced Practice Registered Nurses (APRN) have had full scope of practice authority in Hawai'i since 2009, and have worked collaboratively with the state legislators, departments, community organizations, and the public to identify remaining areas in the Hawaii Revised Statutes that contain outdated or obsolete language related to APRN scope of practice and update these statutes to reflect the State's intent to ensure safe, quality, and accessible healthcare for people throughout Hawaii.

SB2672, SD1, HD1 identifies areas in the current HRS that are commonly identified at this time to pose restrictions to APRN practice, thus limiting the access to care for the many people in Hawaii who receive health care services by an advance trained nurse. Moreover, Nurse Practitioners, who make up the majority of APRNs in Hawai'i, are more likely to serve vulnerable populations, including Medicaid recipients, and people living in urban and rural areas. One area where APRNs have been limited is in their signatory authority for temporary disability insurance (TDI) forms. TDI is the only means for some women to have partial wage replacement after giving birth. For women in rural areas who regularly access health care through an APRN and who may rarely see an OB/GYN during their pregnancy, this poses a severe limit on women's access to partially paid leave after giving birth.

The Commission respectfully requests that SB2672, SD1, HD1 pass unamended. Thank you for your continued support for access to safe, quality and accessible care in Hawaii and your consideration of this bill.

**PRESENTATION OF THE
BOARD OF NURSING**

TO THE HOUSE COMMITTEE ON FINANCE

TWENTY-EIGHTH LEGISLATURE
Regular Session of 2016

Friday, April 1, 2016
11:00 a.m.

**TESTIMONY ON SENATE BILL NO. 2672, S.D. 1, H.D. 1, RELATING TO
ADVANCED PRACTICE REGISTERED NURSES.**

TO THE HONORABLE SYLVIA LUKE, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Lee Ann Teshima, Executive Officer for the Board of Nursing ("Board"). I appreciate the opportunity to testify on Senate Bill No. 2672, S.D. 1, H.D. 1, Relating to Advanced Practice Registered Nurses, that amends various statutes to clarify the role of advanced practice registered nurses ("APRNs") with regards to their authority and participation in the health care system. The measure also amends definitions in the statutes to conform with the duties and responsibilities of APRNs.

The Board strongly supports this bill with the recommendation that the effective date be amended. In the past, the Legislature has recognized the importance of the APRN's practice and the vital role they play in the increased access to primary care for residents of this State. Since legislation in 1994 that established the requirements for

Testimony on Senate Bill No. 2672, S.D. 1, H.D. 1
Friday, April 1, 2016
Page 2

APRN licensure in Hawaii, their scope of practice has evolved and advanced faster than they can keep up with the changes in the statutes and administrative rules.

That could explain why there are still some state laws and/or administrative rules that fail to recognize the APRN as a primary care provider.

It is imperative that barriers be removed from the APRN's practice. APRNs are able to provide safe and effective care within the scope of their training and education. It has also been suggested by the Federal Trade Commission that APRNs may help to alleviate shortages in health care access if undue regulatory burdens are reduced.

The Board respectfully request that the effective date be amended to "upon approval".

Thank you for the opportunity to testify on Senate Bill No. 2672, S.D. 1, H.D. 1.

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 30, 2016 7:39 PM
To: FINTestimony
Cc: wailua@aya.yale.edu
Subject: Submitted testimony for SB2672 on Apr 1, 2016 11:00AM

SB2672

Submitted on: 3/30/2016

Testimony for FIN on Apr 1, 2016 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Wailua Brandman	Hawaii Assoc. of Professional Nurses	Support	No

Comments: Aloha Rep. Sylvia Luke, Chair, Rep. Scott Y. Nishimoto, Vice Chair, and members of the House Committee on FINANCE, mahalo for the opportunity to testify in STRONG SUPPORT of SB2672, SD1,HD1, with COMMENTS on behalf of the Hawaii Association of Professional Nurses (HAPN). We request, however, one amendment to Section 8, (d) (1), adding “controlled drugs” to this sentence: . . .dispense manufacturers' prepackaged samples of over the counter drugs, and non-controlled legend drugs to patients under their care. . . The language in this section was written prior to APRNs being given the authorization by Hawaii's Legislature to prescribe controlled drugs II-V, over five years ago. While we are updating the statutes to remove the barriers to full practice for APRNs, this section remains as a barrier, and in some instances, APRNs are required by ethical and safe practice patterns to be able to provide their patients with appropriate, efficacious medication in the treatment of the patient's medical condition, which happen to be controlled by the Hawaii Narcotics Enforcement Division and the Federal DEA. This is not equal access for patients in rural areas where a pharmacy is not within their reach. We need to remedy this. We strongly encourage you to make this amendment to improve the healthcare of the people of Hawaii, and we thank you for all you do in this effort. Again, HAPN stands in STRONG SUPPORT of SB2672 SD1. Wailua Brandman APRN FAANP, Chair, HAPN Legislative Committee

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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April 1, 2016 at 11:00 AM
Conference Room 308

House Committee on Finance

To: Representative Sylvia Luke, Chair
Representative Scott Nishimoto, Vice Chair

From: Art Gladstone
Chief Nurse Executive, Hawaii Pacific Health
Chief Executive Officer, Pali Momi Medical Center and Straub Clinic & Hospital

Re: Testimony in Support – SB 2672, SD1, HD1

My name is Art Gladstone and I am the Chief Nurse Executive at Hawai'i Pacific Health (HPH), and the Chief Executive Officer of Pali Momi Medical Center and Straub Clinic and Hospital. Hawai'i Pacific Health is a not-for-profit health care system, and the state's largest health care provider and non-governmental employer. Hawai'i Pacific Health is committed to providing the highest quality medical care and service to the people of Hawai'i and the Pacific Region through its four hospitals, more than 50 outpatient clinics and service sites, and over 1,600 affiliated physicians. Hawai'i Pacific Health's hospitals are Kapi'olani Medical Center for Women & Children, Pali Momi Medical Center, Straub Clinic & Hospital and Wilcox Memorial Hospital.

HPH is writing in **support** of SB 2672, SD1, HD1 which amends various statutes to clarify the role of advanced practice registered nurses with regards to their authority and participation in the health care system. Prior legislation has recognized appropriately trained advanced practice registered nurses as primary care providers to provide improved access to health care services, expedite processing of paperwork, and provide optimal care at the initial point of access for patients, especially in rural and underserved areas. SB 2672 would enable advanced practice registered nurses to provide quality health care and meet the needs of patients to the full extent of their education and training.

Thank you for the opportunity to testify.



**Written Testimony Presented Before the
House Committee on Finance**

April 1, 2016 11:00 AM

by

Susan Lee BSN, RN, WCC

SB2672, SD1, HD1 RELATING TO ADVANCED PRACTICE REGISTERED NURSES

Chair Luke, Vice Chair Nishimoto, and members of the House Committee on Finance, thank you for this opportunity to provide testimony in strong support for SB2672, SD1, HD1 Relating to Advanced Practice Registered Nurses.

In 2009, the Legislature in its great wisdom, introduced Act 169, which clarified the Advanced Practice Registered Nurses (APRN) by requiring insurers, mutual and fraternal benefit societies, and health maintenance organizations to recognize APRNs as primary care providers and granting global signature authority and prescriptive rights. By passing Act 169, SLH 2009, Hawai'i became one of the leading states in the nation to recognize the impact APRNs with full scope of practice authority may have on improving access to safe, quality health care for its people.

In 2014, the Legislature introduced Act 45, which recognized that there existed some outdated or obsolete statutes that needed to be amended to enable improved access to health care services, expedite the processing of paperwork, and provide optimal care at the initial point of access for Hawai'i patients, especially in rural and underserved areas.

Research indicates that improved laws relating to APRN practice result in lower health care costs, fewer hospital readmissions, and higher satisfaction among family members and may offset the projected physician shortages and provide economic benefits to the state. With the Hawai'i Revised Statutes changes proposed in SB2672, SD1, HD1, APRNs in Hawai'i will be better able to provide quality health care and meet the needs of their patients to the full extent of their education and training¹.

¹ The 2010 report proposed that Advanced Practice Registered Nurses (APRNs), if permitted to practice to the full extent of their education and training, could help build the workforce necessary to satisfy the health care needs of an increasing number of people with access to health insurance and contribute their unique skills to the delivery of patient-centered health care. (Institute of Medicine Five-Year Assessment of Progress on the of the Future of Nursing Report)

I respectfully requests that SB2672, SD1, HD1 pass unamended. Thank you for your continued support of nursing in Hawai'i and for the time and consideration of this bill.

Written Testimony Presented Before the
House Committee on Finance
April 1, 2016 11:00 AM
by
Dr. Linda Beechinor, APRN, FNP-BC

SB2672, SD1, HD1 RELATING TO ADVANCED PRACTICE REGISTERED NURSES

Chair Luke, Vice Chair Nishimoto, and members of the House Committee on Finance, thank you for this opportunity to provide testimony in strong support for SB2672, SD1, HD1 Relating to Advanced Practice Registered Nurses.

In 2009, the Legislature passed Act 169, SLH 2009, making Hawai'i one of the leading states in the nation to recognize the impact APRNs with full scope of practice authority may have on improving access to safe, quality health care for its people.

In 2014, the Legislature introduced Act 45, which recognized that there existed some outdated or obsolete statutes that needed to be amended to enable improved access to health care services, expedite the processing of paperwork, and provide optimal care at the initial point of access for Hawai'i patients, especially in rural and underserved areas.

Research indicates that improved laws relating to APRN practice result in lower health care costs, fewer hospital readmissions, and higher satisfaction among family members and may offset the projected physician shortages and provide economic benefits to the state. With the Hawai'i Revised Statutes changes proposed in SB2672, SD1, HD1, APRNs in Hawai'i will be better able to provide quality health care and meet the needs of their patients to the full extent of their education and training¹

I respectfully requests that SB2672, SD1, HD1 pass unamended. Thank you for your continued support of nursing in Hawai'i and for the time and consideration of this bill.

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 31, 2016 6:53 AM
To: FINTestimony
Cc: geesey@hawaii.edu
Subject: Submitted testimony for SB2672 on Apr 1, 2016 11:00AM

SB2672

Submitted on: 3/31/2016

Testimony for FIN on Apr 1, 2016 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Yvonne Geesey	Individual	Support	No

Comments: Aloha Legislators; Please approve this bill to modernize our statutes and allow us to take care of our community. Mahalo!

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 30, 2016 8:00 PM
To: FINTestimony
Cc: lenora@hawaii.edu
Subject: Submitted testimony for SB2672 on Apr 1, 2016 11:00AM

SB2672

Submitted on: 3/30/2016

Testimony for FIN on Apr 1, 2016 11:00AM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Dr. Lenora Lorenzo	Individual	Support	No

Comments: Aloha Representative Sylvia Luke, Chair and Representative Scott Nishimoto, Vice Chair and members of the House Committee on Finance. Mahalo for this opportunity to testify in Strong Support of SB 2672 SD 1 HD1, Relating to Advance Practice Registered Nurses. Our Nursing community have come together to craft and support the issues in this bill necessary to remove the barriers to practice still in place in our statutes despite the wisdom of the Legislature granting APRNs Full Practice Authority in 2011. As APRN's our primary concern is assuring our patients receive the safest high quality care they deserve. As a practicing primary care provider I voice concern that section 8 Part 1 was not amended to include inserting "Controlled" after over the counter drugs, and striking, "provided that an advanced practice registered nurse shall not request, receive, or sign for professional controlled substance samples." This language was written prior to APRNs being granted practice authority to prescribe controlled substances II-IV and, as such is now obsolete. The statute should accurately reflect the authority of the APRN. In our work as APRN's serving Lanai, Haleiwa and even Ocean View, Hawaii Island, this omission to dispense appropriate medication for severe pain can be considered bad practice and not following evidence based national guidelines for acute pain control. Imagine your child or mother with severe pain from a dental abscess or bone fracture not being given the medication to control the pain and promote rest and healing! In our rural areas and neighbor islands, remote communities, do not have access to pharmacists or other facilities to manage their acute pain conditions. Therefore your thoughtful inclusion of this amendment means an APRN's patients can receive the same level of quality care as when they are treated by a physician or PA's in the same circumstance. Fortunately, APRN's are eager to serve the rural areas and remote populations, thus increasing access to care Please give this careful consideration as this is an important issue that will impact access to safe quality health care in our communities and for our ohana! Respectfully, Lenora Lorenzo DNP, APRN, FAANP, American Association of Nurse Practitioners Hawaii State Representative and HAPN Treasurer

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the committee prior to the convening of the public hearing.

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Lea Minton, MSN, APRN, CNM

March 31, 2016

TESTIMONY IN STRONG SUPPORT OF SB2319 SD2 HD1

To: House Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair
Hawaii State Capitol, Conference Room 308
415 South Beretania Street
Honolulu, HI 96813

Time: Twenty-Eighth Legislature Regular Session of 2016
Friday, April 1, 2016 at 11:00am

Dear Representative Luke, Representative Nishimoto and members of the committee on Finance,

As a practicing certified nurse midwife, which is a category of providers designated as advanced practice registered nurses in this state, I strongly support SB2672 SD1 HD1. While working in the rural community of Kahuku, I faced numerous barriers in my practice to provide full scope to my clients. Often when I investigated further to understand why I was not able to sign paperwork, order certain tests, etc, I was met repeatedly by the phrase "well the law says a physician. And you're not a physician. Can't you just get someone to sign it for you?" No, unfortunately I cannot get someone to sign paperwork for me for a client whom they have never seen. SBSB2672 SD1 HD1 will allow advanced practice registered nurses to more closely achieve full scope practice and will reduce barriers to practice.

My one concern in regards to this bill continues to be that it does not address the language in Hawaii Revised Statute 392-26 addressing Temporary Disability Insurance where it mandates that the person be under the care of a physician (MD, DO, ND, DDS, Chiropractor) or an authorized or accredited practitioner of a spiritual group where healing upon prayer or other spiritual means are used. Advanced practice registered nurses are continually left out of Hawaii Revised Statute 392-26, which creates a large barrier to practice as an independent provider. Advanced practice registered nurses have global signature authority in the State of Hawaii but it is not recognized by the Department of Labor in relation to TDI forms because Hawaii Revised Statute 392-26 specifically does not list advanced practice registered nurses as a recognized provider. Advanced practice registered nurse signatures are not accepted for a person being put on TDI and must find another provider to sign their forms. As a certified nurse midwife, I often care for a client throughout their entire pregnancy without the client being seen by a physician; this creates an issue for clients who need to file their TDI paperwork with their HR department at work prior to delivery. Physicians who have never seen a client are not willing to sign TDI paperwork, nor should they be required to. Therefore, I strongly urge the Committee on Finance to amend SB2672 SD1 HD1 to reflect that Hawaii Revised Statute 392-26 is amended to read "(a) An individual shall be ineligible to receive temporary disability benefits with respect to any period during which the individual is not under the care of a ~~person~~ duly licensed to practice medicine, surgery, physician, dentistry, chiropractic[or], osteopathy, or naturopathic medicine, or advanced practice registered nurse who shall certify, in the form and manner specified by

regulation of the director, the disability of the claimant, the probable duration thereof, and such other medical facts within the person's knowledge as required by regulation.

I ask that you pass SB 2672 SD1 HD1 with amendments. Thank you for the opportunity to testify on this important matter.