

**PRESENTATION OF THE
BOARD OF NURSING**

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-EIGHTH LEGISLATURE
Regular Session of 2015

Friday, March 20, 2015
10:30 a.m.

TESTIMONY ON SENATE BILL NO. 805, RELATING TO HEALTH.

TO THE HONORABLE DELLA AU BELATTI, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Lee Ann Teshima, Executive Officer of the Board of Nursing ("Board"). I appreciate the opportunity to submit testimony on Senate Bill No. 805, Relating to Health, that would remove the sunset provision from Act 255, Session Laws of Hawaii 2012, relating to the definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse".

The Board supports this bill.

Thank you for the opportunity to submit testimony on Senate Bill No. 805.

REGARDING SB 805:

Hearing scheduled for 3/20/2015

Hearing Room 329 10:30 AM

House Committee on Health

The Honorable Representative Belatti, Chair

The Honorable representative Creagan, Vice Chair

Honorable Representative and Committee Members

The Hawaii Academy of Physician Assistants supports passage of Senate Bill 805, eliminating the "Sunset" provision of Act 255.

SB 2103, when submitted in 2012 received support from the following:

The Hawaii State Board of Nursing , HMA, The Queens Health System, The Hawaii State Center for Nursing, Hawaii Pacific Health, The University of Hawaii – School of Nursing and Dental Health, The American Academy of Physician Assistants, The Hawaii Academy of Physician Assistants in addition to nurses, physicians assistants and physicians.

Review of archive testimony confirms the information above.

There has been ample time to evaluate the law and its effect on public health. There has been no demonstrated or documentable harm, but rather benefit. The change made by Act 255, Session Laws of Hawaii 2012, has provided clarity and improved communication for all health care providers and specifically, licensed practical nurses, registered nurses and physician assistants.

In reviewing public testimony, it can be seen that the only opposing testimony, then and now, has been received from two individual Advanced Practice Nurses, who testified against the bill in 2012 and again in 2015.

Both individual APRN testifiers object that physician assistants should not be included in the definitions of the nurse practice act in terms of who a nurse can carry out prescribed medical orders from, because it should be stated under their own HRS. They indicate indignation that physician assistants should be listed in their nurse practice act. It should however be noted that this is personal opinion and is not supported by any evidence that this has caused any confusion or lead to public harm or medical malpractice.

By that same reasoning, dentists, physicians, osteopathic physicians and podiatrists should also be disallowed from the Nurse Practice Act, HRS 457. The argument illustrates a misunderstanding of state law and the HRS.

"The foregoing may include, but shall not be limited to: implementation of basic nursing procedures in the plan of care; observing and caring for individuals at all levels of the health spectrum, giving counsel and acting to safeguard life and health and functioning as a part of the health care team, under the direction of a dentist, physician, osteopathic physician, registered nurse, osteopath, or podiatrist licensed in accordance with chapter 448, 453, 457, 460, or 463E, or under the orders of a physician assistant licensed pursuant to chapter 453, practicing with physician supervision as required by chapter 453, and acting as the agent of the supervising physician;

In 2012, Lee Ann Teshima, Executive Director for the Board of Nursing testified in support of the bill: "My name is Lee Ann Teshima, Executive Officer for the Board of Nursing ("Board"). I appreciate the opportunity to testify on Senate Bill No. 2103, S.D. 2, Relating to Health. The Board has no objections to the proposed amendment to the definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse" that would allow both a licensed practical nurse and a registered nurse, to carry out the prescribed medical orders of a physician, delivered through a physician assistant who is acting as an agent of the supervising physician. Consequently, although current practice allows the licensed practical nurse and registered nurse to carry out the prescribed medical orders of a physician through a physician assistant who is acting as an agent of the supervising physician, the Board does recognize that the proposed amendment would clarify this practice and therefore has no objections. Thank you for the opportunity to testify in support of Senate Bill No. 2103, S.D. 2."

In summary, the original bill SB 2103 was widely supported by the medical community in general, as referenced above. There has been no indication that it has negatively impacted health care delivery or caused any malpractice. The bill has given clarity that when nurses carry out prescribed medical orders from physician assistants that they are acting lawfully and within their scope of practice. Please support SB 805 which removes the "Sunset Clause" from Act 255 and allows this change to move forward into perpetuity.

Fielding Mercer, PA-C
Legislative Liaison
Immediate Past President
Hawaii Academy of Physician Assistants

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 19, 2015 7:54 AM
To: HLTtestimony
Cc: pkatahara@hotmail.com
Subject: Submitted testimony for SB805 on Mar 20, 2015 10:30AM

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Patrick Katahara	All Access Ortho	Support	No

Comments: REGARDING SB 805: Hearing scheduled for 3/20/2015 Hearing Room 329 10:30 AM House Committee on Health The Honorable Representative Belatti, Chair The Honorable representative Creagan, Vice Chair Honorable Representative and Committee Members I support passage of Senate Bill 805, eliminating the “Sunset” provision of Act 255. SB 2103, when submitted in 2012 received support from the following: The Hawaii State Board of Nursing , HMA, The Queens Health System, The Hawaii State Center for Nursing, Hawaii Pacific Health, The University of Hawaii – School of Nursing and Dental Health, The American Academy of Physician Assistants, The Hawaii Academy of Physician Assistants in addition to nurses, physicians assistants and physicians. Review of archive testimony confirms the information above. There has been ample time to evaluate the law and its effect on public health. There has been no demonstrated or documentable harm, but rather benefit. The change made by Act 255, Session Laws of Hawaii 2012, has provided clarity and improved communication for all health care providers and specifically, licensed practical nurses, registered nurses and physician assistants. In summary, the original bill SB 2103 was widely supported by the medical community in general, as referenced above. There has been no indication that it has negatively impacted health care delivery or caused any malpractice. The bill has given clarity that when nurses carry out prescribed medical orders from physician assistants that they are acting lawfully and within their scope of practice. Please support SB 805 which removes the “Sunset Clause” from Act 255 and allows this change to move forward into perpetuity. Aloha, Patrick Katahara, MPAS, PA-C

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From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 18, 2015 10:25 PM
To: HLTtestimony
Cc: wailua@aya.yale.edu
Subject: Submitted testimony for SB805 on Mar 20, 2015 10:30AM

SB805

Submitted on: 3/18/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

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

Comments: : Aloha Representative Belatti, Chair, and Representative Creagan, Vice Chair, and Honorable members of the House Health Committee. Mahalo for this opportunity to submit testimony opposing SB805. This should never have been placed in the Nurse Practice Act (NPA) in the first place. The PAs practice act should contain language which legitimizes orders written by a PA as an extension of the supervising physician. RNs would then be legally required to carry out the orders of the PA, unless they were deemed unsafe in the judgment of the RN, exactly the same as if the supervising physician had written the order. Several years have passed since the NPA was amended at the request of the PAs and there has been ample time for the PA practice act to be amended so this current bill would be unnecessary. That has not occurred. I have personally offered to assist and support a bill to accomplish this update to the PA practice act, but have been scorned for my offer to collaborate. In my view, the whole issue is moot, as RNs have traditionally carried out PA orders except in one instance at a hospital on a neighbor island. In that instance, hospital policy is what needed to be changed, not the NPA. That being stated, I implore you to either let this bill sunset or amend it to delete the language from the NPA and insert it into the PA Practice Act and restore the NPA to its former state. This would be logical and rational and most appropriate. Mahalo for your consideration and for all you do for the health and safety of the citizens of this great state. Warmest Aloha, Wailua Brandman APRN FAANP Ke`ena Mauiola Nele Paia, LLC 615 Piikoi Street, Suite 511 Honolulu, HI 96814 wailua@aya.yale.edu 808-255-4442

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creagan1 - Dannah

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 19, 2015 7:12 AM
To: HLTtestimony
Cc: mcbalogh26@yahoo.com
Subject: *Submitted testimony for SB805 on Mar 20, 2015 10:30AM*

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Melissa Balogh	HAPA	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 19, 2015 9:04 AM
To: HLTtestimony
Cc: dand@punahealth.org
Subject: Submitted testimony for SB805 on Mar 20, 2015 10:30AM

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Dan Domizio	Puna Community Med Ctr	Support	No

Comments: Aloha and thank you for this opportunity to offer testimony; SB805 will allow the language to stand that permits nurses to act on orders from PAs acting in the interest of many patients and their physicians. Please pass this bill to stop the sunset process.

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Dear Honorable Committee Members

I support passage of Senate Bill 805, eliminating the “Sunset” provision of Act 255.

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There has been ample time to evaluate the law and its effect on public health. There has been no demonstrated or documentable harm, but rather benefit. The change made by Act 255, Session Laws of Hawaii 2012, has provided clarity and improved communication for all health care providers and specifically, licensed practical nurses, registered nurses and physician assistants.

In summary, the original bill SB 2103 was widely supported by the medical community in general, as referenced above. There has been no indication that it has negatively impacted health care delivery or caused any malpractice. The bill has given clarity that when nurses carry out prescribed medical orders from physician assistants that they are acting lawfully and within their scope of practice.

Please support SB 805 which removes the “Sunset Clause” from Act 255 and allows this change to move forward into perpetuity.

HAPA and the Hawaii Physician Assistants appreciates your proactive support to protect and move our profession forward in Hawaii.

Sincerely,

Scott A. Denny, MSPA, AAHIVS, PA-C

Kaiser Permanente Hawaii Region

creagan1 - Dannah

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 19, 2015 7:46 AM
To: HLTtestimony
Cc: echong@straub.net
Subject: *Submitted testimony for SB805 on Mar 20, 2015 10:30AM*

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Elisa Chong	Individual	Support	No

Comments:

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To: HLTtestimony
Cc: joel.hamaguchi@gmail.com
Subject: *Submitted testimony for SB805 on Mar 20, 2015 10:30AM*

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Joel Hamaguchi	Individual	Support	No

Comments:

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To: HLTtestimony
Cc: ahino@westernu.edu
Subject: *Submitted testimony for SB805 on Mar 20, 2015 10:30AM*

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Alissa Hino	Individual	Support	No

Comments:

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Subject: Submitted testimony for SB805 on Mar 20, 2015 10:30AM

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Susanna Cheng	Individual	Support	No

Comments: REGARDING SB 805: Hearing scheduled for 3/20/2015 Hearing Room 329 10:30 AM House Committee on Health The Honorable Representative Belatti, Chair The Honorable representative Creagan, Vice Chair Honorable Representative and Committee Members I support passage of Senate Bill 805, eliminating the “Sunset” provision of Act 255. SB 2103, when submitted in 2012 received support from the following: The Hawaii State Board of Nursing , HMA, The Queens Health System, The Hawaii State Center for Nursing, Hawaii Pacific Health, The University of Hawaii – School of Nursing and Dental Health, The American Academy of Physician Assistants, The Hawaii Academy of Physician Assistants in addition to nurses, physicians assistants and physicians. Review of archive testimony confirms the information above. There has been ample time to evaluate the law and its effect on public health. There has been no demonstrated or documentable harm, but rather benefit. The change made by Act 255, Session Laws of Hawaii 2012, has provided clarity and improved communication for all health care providers and specifically, licensed practical nurses, registered nurses and physician assistants. In summary, the original bill SB 2103 was widely supported by the medical community in general, as referenced above. There has been no indication that it has negatively impacted health care delivery or caused any malpractice. The bill has given clarity that when nurses carry out prescribed medical orders from physician assistants that they are acting lawfully and within their scope of practice. Please support SB 805 which removes the “Sunset Clause” from Act 255 and allows this change to move forward into perpetuity.

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REGARDING SB 805:

Hearing scheduled for 3/20/2015

Hearing Room 329 10:30 AM

House Committee on Health

The Honorable Representative Belatti, Chair

The Honorable representative Creagan, Vice Chair

Honorable Representative and Committee Members

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Please support SB 805 which removes the "Sunset Clause" from Act 255 and allows this change to move forward into perpetuity.

Robert Nikolaisen, PA-C

creagan1 - Dannah

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 19, 2015 9:41 AM
To: HLTtestimony
Cc: maxiinseattle@msn.com
Subject: *Submitted testimony for SB805 on Mar 20, 2015 10:30AM*

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Maxi Lohrengel-West	Individual	Support	No

Comments:

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To: HLTtestimony
Cc: amylgrote@yahoo.com
Subject: Submitted testimony for SB805 on Mar 20, 2015 10:30AM

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Amy Biggs	Individual	Comments Only	No

Comments: Honorable Committee Members I support passage of Senate Bill 805, eliminating the “Sunset” provision of Act 255. SB 2103, when submitted in 2012 received support from the following: The Hawaii State Board of Nursing , HMA, The Queens Health System, The Hawaii State Center for Nursing, Hawaii Pacific Health, The University of Hawaii – School of Nursing and Dental Health, The American Academy of Physician Assistants, The Hawaii Academy of Physician Assistants in addition to nurses, physicians assistants and physicians. Review of archive testimony confirms the information above. There has been ample time to evaluate the law and its effect on public health. There has been no demonstrated or documentable harm, but rather benefit. The change made by Act 255, Session Laws of Hawaii 2012, has provided clarity and improved communication for all health care providers and specifically, licensed practical nurses, registered nurses and physician assistants. In summary, the original bill SB 2103 was widely supported by the medical community in general, as referenced above. There has been no indication that it has negatively impacted health care delivery or caused any malpractice. The bill has given clarity that when nurses carry out prescribed medical orders from physician assistants that they are act ing lawfully and within their scope of practice. Please support SB 805 which removes the “Sunset Clause” from Act 255 and allows this change to move forward into perpetuity.

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Cc: fredwgarfield@hotmail.com
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SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Larry Alfrey	Individual	Support	No

Comments:

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creagan1 - Dannah

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 19, 2015 11:08 AM
To: HLTtestimony
Cc: nick203@hotmail.com
Subject: *Submitted testimony for SB805 on Mar 20, 2015 10:30AM*

SB805

Submitted on: 3/19/2015

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Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Dusenbury	Individual	Support	No

Comments:

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creagan1 - Dannah

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Sent: Thursday, March 19, 2015 12:28 PM
To: HLTtestimony
Cc: rlperry@hawaii.rr.com
Subject: *Submitted testimony for SB805 on Mar 20, 2015 10:30AM*

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
rhonda perry	Individual	Support	No

Comments:

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Sent: Thursday, March 19, 2015 12:50 PM
To: HLTtestimony
Cc: shanejmillard@yahoo.com
Subject: *Submitted testimony for SB805 on Mar 20, 2015 10:30AM*

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Shane Millard	Individual	Support	No

Comments:

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To: HLTtestimony
Cc: danmorris.pa@gmail.com
Subject: *Submitted testimony for SB805 on Mar 20, 2015 10:30AM*

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Dan Morris	Individual	Support	No

Comments:

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Categories: Red Category

SB805

Submitted on: 3/19/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Darin Simmer	Individual	Support	No

Comments: I am in full support of SB 805. The gains we made in access to care and public health will be lost if the Sunset Clause is not rescinded. Let our medical providers take care of us! Thank you

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SB805

Submitted on: 3/20/2015

Testimony for HLT on Mar 20, 2015 10:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Cary Andrews	Individual	Support	No

Comments: Support bill to allow nurses to take orders from physician assistants

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To: HLTtestimony
Cc: dmessiii@aol.com
Subject: *Submitted testimony for SB805 on Mar 20, 2015 10:30AM*

SB805

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Submitted By	Organization	Testifier Position	Present at Hearing
David H Messer III, PA-C	Individual	Support	No

Comments:

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SB805

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Submitted By	Organization	Testifier Position	Present at Hearing
Fredrick Yost	Individual	Support	Yes

Comments: We are in need of physician extenders to provide care to patients!

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Sent: Friday, March 20, 2015 9:11 AM
To: HLTtestimony
Cc: jwjw9976@gmail.com
Subject: Submitted testimony for SB805 on Mar 20, 2015 10:30AM

SB805

Submitted on: 3/20/2015

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Submitted By	Organization	Testifier Position	Present at Hearing
Jill S Williams	Individual	Comments Only	No

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Cc: kcosseboom@gmail.com
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Submitted on: 3/20/2015

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Submitted By	Organization	Testifier Position	Present at Hearing
kellie cosseboom	tripler	Support	No

Comments:

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