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## A BILL FOR AN ACT

RELATING TO NURSE AIDES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the current state  
2           recertification requirements for nurse aides create an inequity  
3           for nurse aides who do not work in medicare or medicaid  
4           certified nursing facilities. In order to recertify, nurse  
5           aides who work in medicare or medicaid certified nursing  
6           facilities have an eight hour work requirement. However, nurse  
7           aides who do not work in medicare or medicaid certified nursing  
8           facilities are required to either work in a medicare or medicaid  
9           facility for eight hours during the past twenty-four month  
10          period or complete a twenty-four hour competency and proficiency  
11          program.

12          This creates an undue hardship for nurse aides who do not  
13          work in medicare or medicaid certified nursing facilities, as  
14          many will need to pay for a twenty-four hour course and suffer a  
15          loss of wages in order to attend the training. Further,  
16          inequitable recertification requirements lead to an increase in  
17          lapsed recertification and a decrease in the number of certified



1 nurse aides in the State. The legislature finds that this  
2 recertification inequity poses a risk to public health because,  
3 absent certification and recertification, there is no assurance  
4 as to a nurse aide's ongoing competency.

5 The purpose of this Act is to establish a task force to  
6 study and develop solutions for the issue of nurse aide  
7 recertification inequity.

8 SECTION 2. (a) There is established within the department  
9 of human services the nurse aide recertification task force.  
10 The task force shall address the inequities of nurse aide  
11 recertification requirements for those who do not work in  
12 medicare or medicaid certified nursing facilities. The task  
13 force shall submit a report of its findings and recommendations,  
14 including any proposed legislation, to the legislature no later  
15 than twenty days prior to the convening of the regular session  
16 of 2020. The report shall address and include:

17 (1) Current nurse aide certification and recertification  
18 practices in Hawaii and nationwide, including barriers  
19 to certification and recertification;



- 1           (2) Studies by nationally accredited institutions or  
2           government agencies regarding nurse aide  
3           recertification;
- 4           (3) An analysis of the impact that nurse aide  
5           certification and recertification practices have on  
6           health care in the State; and
- 7           (4) Proposed legislation to create equity in the nurse  
8           aide certification and recertification process and  
9           promote a skilled healthcare workforce in the State.
- 10          (b) The director of human services, or the director's  
11         designee, shall serve as the chair of the task force. The task  
12         force shall include:
- 13           (1) Three members to be selected by the governor; provided  
14           that two members shall be from the health care  
15           industry;
- 16           (2) Two members to be selected by the president of the  
17           senate;
- 18           (3) Two members to be selected by the speaker of the house  
19           of representatives;
- 20           (4) Two members to be selected by the director of commerce  
21           and consumer affairs;



1 (5) Two members to be selected by the director of health;  
2 and

3 (6) One member to be selected by the attorney general.

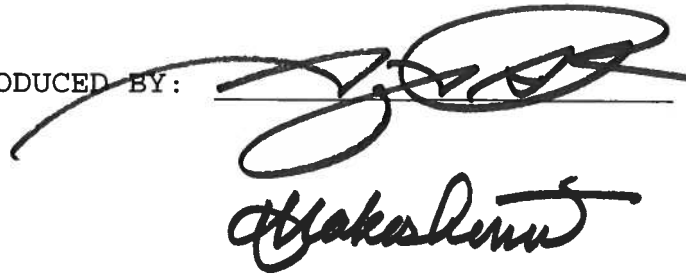
4 (c) The members of the task force shall serve without  
5 compensation, but shall be reimbursed for necessary expenses,  
6 including travel expenses, incurred for service on the task  
7 force. No member of the task force shall be made subject to  
8 chapter 84, Hawaii Revised Statutes, solely because of that  
9 member's participation on the task force.

10 (d) The nurse aide recertification task force shall  
11 dissolve on June 30, 2020.

12 SECTION 3. This Act shall take effect upon approval.

13

INTRODUCED BY:



JAN 17 2019



# H.B. NO. 222

**Report Title:**

Nurse Aides; Task Force; DHS

**Description:**

Establishes a task force within the Department of Human Services to study and develop solutions for the issue of nurse aide recertification inequity.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

