

HB658 HD1

Measure Title: RELATING TO HEALTH.
Report Title: Advanced Practice Registered Nurses
Description: Authorizes that advanced practice registered nurses be included within certain rules adopted by the Department of Health. (HB658 HD1)
Companion:
Package: None
Current Referral: CPH
Introducer(s): MIZUNO

Hawai'i Association of Professional Nurses (HAPN)

Bradley Kuo, M.Ed, MSN, FNP-BC, PMHNP-BC, CARN-AP
President of the Hawaii Association of Professional Nurses



DATE: 3/17/2019

HB 658: RELATING TO HEALTH

Chair Senator Rosalyn Baker, Vice Chair Senator Stanley Chang and members of the Senate Committee on Commerce, Consumer Protection, and Health, thank you for this opportunity to provide testimony in **strong support with amendments** for HB658, Relating to Health.

We are in **strong support with your consideration of the following amendments** of this measure because Advanced Practice Registered Nurses (APRN) in the State of Hawaii have worked very hard to close the healthcare access gap in many ways. As defined in chapter 457, APRNs have been afforded the opportunity to work as independent providers, operating at the full scope of our education and training.

We would like to recommend an amendment to this bill as follows:

SECTION 1. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§321- Medical directors. (a) A physician licensed pursuant to chapter 453 or an advanced practice registered nurse licensed pursuant to chapter 457 may serve as the medical director of a health care facility.

(b) For purposes of this section:

"Health care facility" shall have the same meaning as in section 323D-2.

"Medical director" means an individual who:

- (1) Develops appropriate written policies and procedures to provide the necessary preventive, diagnostic, and therapeutic services to patients to achieve the objectives of a health care facility;
- (2) Cooperates with the administrators of a health care facility to:
 - (A) Approve appropriate staff and professional educational programs; and
 - (B) Recommend to the governing body the names of licensees to be appointed to the professional staff; and
- (3) Monitors and supervises all medical and nursing procedures and policies within a health care facility."

APRNs have been able to open their own practices and be leaders/providers in larger organizations to meet the growing needs of the residents of Hawaii. Many have opened practices in the most underserved areas of our state. With current statistics, our MD/DO colleagues are not able to fill these gaps in care. APRNs are held to the same standards, certification, and licensure of other healthcare provider colleagues. Due to various state contract requirements, programs are required to have oversight by a "Medical Director." APRNs in private practice and in leadership roles in the private and public sector are fulfilling that role and should not be required to contract for or otherwise pay for a role that is already being fulfilled by the APRN.

Previous law (HB912) “the legislature finds that advance practice registered nurses are primary care providers who may practice to the full scope of practice allowed” and “similar to those offered by physicians and other health care providers”. With this law, access to care has increased and we have been able to better meet the needs in our communities. APRNs have provided improved access to safe, timely, quality health care.

APRNs guide in the provision of prevention and diagnostic care by developing healthcare policies and procedures, acting as members on governing boards, overseeing, supervising, and making recommendations about prescribing practices for all licensed prescribing practitioners based on evidence-based practices.

Rarely discussed: APRNs are quietly and diligently addressing the healthcare needs in the State of Hawaii with the continued shortage and reduction of our physician colleagues. Addressing these needs and finding solutions is part of our core values and it is the core of our training. From our historical leaders of nursing Florence Nightingale who developed core tenants of nursing, to Mary Breckinridge who revolutionize rural healthcare for women and children, to Dorothea Dix who changed the way mental healthcare was delivered, to Clara Barton who founded the American Red Cross, and many more - these nurses were leaders and researchers, formal or informal, who improved the care and lives of those who they touched both physically and those touched as a result of their teaching/training of others.

In Hawaii, we have many nurses who are working hard to provide vision and insight into the healthcare of their communities. We have leaders among us to whom many of us are grateful of their hard work and dedication to expanding access to care through laws regarding APRNs. We have nurses who are CEOs of area hospitals. We have nurses who are presidents and vice presidents of several healthcare organizations. We have nurses who are guiding the community clinic care and shaping programs who reach out to those most in need. We have nurses opening up their own practices in their community and across the state because they see the significant gaps in healthcare. They see the needs that must be managed for the health and safety of their communities.

From the most recent Hawaii State Center for Nursing workforce data, in 2017:

1. Hawaii has removed most state regulatory barriers to APRN full scope of practice, some facilities continue to adopt policy that does not permit APRNs to practice to full scope of education and training.
2. The number of APRN licenses has grown considerably from 2005 (535) to 2017 (1,092).
3. Of the APRNs surveyed, 92% of them plan to be in the workforce for 5 years or more.
4. Of the APRNs surveyed, 90% are working in some capacity requiring their APRN license.

Reference:

<http://www.hawaiiicenterfornursing.org/wp-content/uploads/2017/11/2017-Hawaii-State-Nursing-Workforce-Supply-Report-Final-2-2.pdf>

1. From 2017- 2018, the State of Hawaii lost 51 full-time equivalent doctors.

2. The current number of physicians statewide is 2,927, about 797 doctors short of what's needed across all specialties.
3. Projections for 2020 appear to be stagnant with no net gain.
4. Shortage per island: Hawaii Island = 41%, Maui and Kauai County = 33%, Oahu = 17%
5. Possible reason, cost of living is too high, and reimbursement is too low. These issues are not in our control.

Reference:

<http://www.ahec.hawaii.edu/workforce/>

We have RNs and APRNs all over our state who are taking up the mantle of leadership. APRNs are a unique group of people who can also support the vision of their organization and the care of their patients with their advanced skills and training. We have a proven track record of good care and improved outcomes across the nation. We continue to see the gaps in healthcare, and we meet these needs head on.

There are national accrediting bodies that require the title of Medical Director to be filled in order to secure and maintain accreditation. APRNs have been able to demonstrate positive leadership and excellent diagnosis, treatment, and care for our communities. Due to these factors, the need for this change must start here.

The State of Hawaii has already provided our communities with increased access to care by empowering APRNs to work to our full scope and education. By passing this bill, APRNs will continue to support our communities to our fullest extent possible.

Thank you for your consideration to amend and pass HB658 in committee.

Aloha and Mahalo,

Bradley Kuo, M.Ed, MSN, FNP-BC, PMHNP-BC, CARN-AP

President of the Hawaii Association of Professional Nurses

Provider/President/Owner, Wellness Partners Hawaii, Inc.



**Written Testimony Presented Before the
Senate Committee on the Commerce, Consumer Protection, and Health
March 19, 2019 9:05 a.m.**

**by
Laura Reichhardt, MS, AGNP-C, APRN
Director, Hawai'i State Center for Nursing
University of Hawai'i at Mānoa**

**WRITTEN COMMENTS
HB 658, HD1 RELATING TO HEALTH**

Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection, and Health, thank you for this opportunity to provide **written comments related to this bill, HB 658, HD1 with recommended amendments**. This measure proposes that the Department of Health establish the terms “medical director” and “medical staff” and include providers in this term, including advanced practice registered nurses (APRNs), physicians, dentists, podiatrists, and other individuals licensed by the state who may serve in these roles relative to their education, training, and regulated scope of practice.

The mission of the Hawai'i State Center for Nursing is that through collaborative partnerships, the Center provides accurate nursing workforce data for planning, disseminates nursing knowledge to support excellence in practice and leadership development, promotes a diverse workforce, and advocates for sound health policy to serve the changing health care needs of the people of Hawai'i.

The Center for Nursing offers the following information for your committee's review:

- In 2013, the Legislature adopted HCR 53 HD1 requesting collaboration among various state agencies to identify barriers relating to the practice of advanced practice registered nursing to the full extent of the nurses' education and training in the state. Since this time, state departments, including the Department of Health, have made significant achievements identifying and updating statute to reflect current APRN scope of practice authorization.
- National research indicates that APRNs maintain high quality care, and are likely to provide care to underserved populations including women, children, urban, rural, and Medicaid populations.
- Center for Nursing research finds that APRNs work in all regions of Hawai'i. Further, with the launching of three doctor in nursing practice (DNP) programs in this state since 2012, Hawai'i is undergoing rapid growth of APRNs who have completed the doctoral education in this state. Therefore, APRNs are becoming increasingly accessible to fulfill clinical and healthcare leadership roles across this State.

- This measure, if enacted, will enable health care facilities seeking to employ APRNs in the roles of “medical director”.

The Center for Nursing offers a recommended amendment for SD1 which we respectfully submit for the Committee to consider. This proposed draft establishes a new section in §321 which defines the term “medical director” in lieu of revising §321-11. This will maintain the contents of §321-11 to be describe conditions or business for which the Department of Health may adopt rules as well as establish clarity to the role “medical director” for which is otherwise undefined in this chapter.

Thank you for the opportunity to provide written comments related to this measure.

Proposed S.D. 1

SECTION 1. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§321- **Medical directors.** (a) A physician licensed pursuant to chapter 453 or an advanced practice registered nurse licensed pursuant to chapter 457 may serve as the medical director of a health care facility.

(b) For purposes of this section:

"Health care facility" shall have the same meaning as in section 323D-2.

"Medical director" means an individual who:

- (1) Develops appropriate written policies and procedures to provide the necessary preventive, diagnostic, and therapeutic services to patients to achieve the objectives of a health care facility;
- (2) Cooperates with the administrators of a health care facility to:
 - (A) Approve appropriate staff and professional educational programs; and
 - (B) Recommend to the governing body the names of licensees to be appointed to the professional staff; and

(3) Monitors and supervises all medical and nursing procedures and policies within a health care facility."

TESTIMONY IN SUPPORT OF HB658, HD 1

TO: Senate Committee on Commerce, Consumer Protection, & Health

FROM: Nikos Leverenz
Grants, Development & Policy Manager

LATE

DATE: March 19, 2019 (9:05 AM)

Chair Baker, Vice-Chair Chang, and Committee Members:

Hawai'i Health & Harm Reduction Center (HHRC) **strongly supports** HB 658, HD 1, which would include Advanced Practice Registered Nurses (APRNs) in rules adopted by the Department of Health to expand the pool of highly qualified applicants to fill positions that currently call for a "Medical Director." As the [Hawai'i Association of Professional Nurses](#) observes, "APRNs in private practice and in leadership roles in the private and public sector are fulfilling that role and should not be required to contract for or otherwise pay for a role that is already being fulfilled by the APRN." The bill also clarifies the definition of "Medical Staff" to include APRNs.

HHRC is proud to have its own APRN, Dr. Christina Wang, who received the 2018 Public Health Award from the Healthcare Association of Hawai'i. She provides direct assistance to some of the most vulnerable members of our community. Dr. Wang's work with the unsheltered, underinsured, and those facing housing instability has been highlighted in local media. (Hawai'i News Now, "[We see anybody: A new Kakaako clinic aims to help an underserved population](#)," July 9, 2018; Hawai'i News Now, "[With smiles and bandages, a street medicine team builds bonds to help the hardest to house](#)," May 22, 2018; Kristen Consillio, "[State looks to revive medical program for homeless](#)," Honolulu Star-Advertiser, February 24, 2018.)

HHRC works with many individuals who are impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those relating to substance use and underlying mental health conditions. The skills and presence that Dr. Wang and our other APRNs provide is vital to our work to reduce the harm and fighting the stigma of HIV, hepatitis, homelessness, substance use, mental illness, and poverty in our community.

Thank you for the opportunity to testify on this measure.

Stacy Kracher, PMHNP-BC, APRNRx, CSAC

Advance Practice

1188 Bishop Street Suite 2602

Honolulu, Hawaii 96813

Phone: 808-688-6947

Fax: 866-519-1278

Stacy.aprn.rx@gmail.com

3/17/2019

HOUSE BILL 658: RELATING TO HEALTH

Chair Senator Rosalyn Baker, Vice Chair Senator Stanley Chang and members of the Senate Committee on Commerce, Consumer Protection, and Health, thank you for this opportunity to provide testimony in **strong support with amendments** for HB658, Relating to Health.

I am in **strong support of HB658 and request your consideration for amendments** of this measure because Advanced Practice Registered Nurses (APRN) in the State of Hawaii have worked very hard to close the healthcare access gap across our state.

Request amendments to: SECTION 1. Chapter 321, Hawaii Revised Statutes, adding new language to include and read as follows:

"§321- Medical directors. (a) A physician licensed pursuant to chapter 453 or an advanced practice registered nurse licensed pursuant to chapter 457 may serve as the medical director of a health care facility.

(b) For purposes of this section:

"Health care facility" shall have the same meaning as in section 323D-2.

"Medical director" means an individual who:

- (1) Develops appropriate written policies and procedures to provide the necessary preventive, diagnostic, and therapeutic services to patients to achieve the objectives of a health care facility;**
- (2) Cooperates with the administrators of a health care facility to:**
 - (A) Approve appropriate staff and professional educational programs; and**
 - (B) Recommend to the governing body the names of licensees to be appointed to the professional staff; and**
- (3) Monitors and supervises all medical and nursing procedures and policies within a health care facility."**

As defined in chapter 457, APRNs have been afforded the opportunity to work as independent providers, operating to the full scope of our education and training across the islands. This opportunity has led to an increase in APRNs being able to open and run private independent practices. APRNs in private practice are held to the same governing and accreditation standards as physicians or other

providers in health care. In some circumstances private and publicly funded programs they are required to have oversight by a “Medical Director.” APRNs in private practice and in leadership roles in the private and public sector are already fulfilling that role and should not be required to contract for or otherwise pay for a role that is already being fulfilled by the APRN.

Per HB NO. 912 Per Section 1, under Chapter 457 “the legislature finds that advance practice registered nurses are primary care providers who may practice to the full scope of practice allowed” and “similar to those offered by physicians and other health care providers. The legislature additionally found that removing barriers to practice for advance practice registered nurses would result in improved access to safe, timely, quality health care.

In addition, Advance Practice Registered Nurses guide in the provision of prevention and diagnostic care by developing healthcare policies and procedures, acting as members on governing boards, overseeing, supervising and make recommendations about prescribing practices for all licensed prescribing practitioners based on best practices.

Hawaii has already made great strides to empower the Advance practice Registered Nurse to work to their full potential and scope of practice. By passing this measure Advance Practices Registered Nurses can be acknowledged for their commitment and dedication to the health and wellness of the people of Hawaii

Thank you for your consideration to pass HB658 in committee.

Stacy Kracher PMHNP-BC, APRNRx, CSAC

Advance Practice

1188 Bishop St Suite 2602

Honolulu HI 96813

Phone: 808 688 6947/ Secure Fax: 866 519 1278

Email: stacy.aprn.rx@gmail.com

HB-658-HD-1

Submitted on: 3/16/2019 8:54:28 AM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Roxanne	Individual	Support	No

Comments:

HB-658-HD-1

Submitted on: 3/17/2019 9:52:20 PM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jesse Arthur	Individual	Support	No

Comments:

Aloha

Personally, I believe this bill to be a no brainer. For too long Hawaii has suffered from a lack of health care professionals. By expanding the role of Nurse Practitioners in our states health care system, we will be improving the quality and access to care for Hawaii's residents. This bill would also help to breath new life into a system that struggles to keep pace with an ever changing and evolving world. It is time to improve Hawaii's health care system by allowing Nurse Practioners to help shape the systems future.

Mahalo

Jesse Arthur

HB-658-HD-1

Submitted on: 3/16/2019 4:51:08 PM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jeanette Ayers-Kawakami	Individual	Support	No

Comments:

HB-658-HD-1

Submitted on: 3/17/2019 9:01:20 PM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kristina Jenkins	Individual	Support	No

Comments:

I am writing in strong support of HB658 which would allow Advance Practice Registered Nurses (APRNs) to be able to hold roles as Medical Directors.

Nurses throughout Hawaii have demonstrated the qualities, dedication, education and training to take on increasing leadership roles. As a patient, I am grateful to all of the healthcare providers who serve in our state, and I think that APRNs have the unique perspective to support the vision of their organization and the care of their patients with their advanced skills and training.

We need to allow all qualified individuals to serve in their best capacities, especially in our health care system. Please pass HB658 and allow Advanced Practice Registered Nurses to take on roles in which they supervise medical and nursing procedures and policies within our health care facilities.

Regards, Kristina Jenkins
Honolulu, Hawai'i 96822

HB-658-HD-1

Submitted on: 3/17/2019 10:03:39 PM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Tracy Thornett	Individual	Support	No

Comments:

Esteemed Senate Committee on Commerce, Consumer Protection, and Health,

I endorse the prior testimony submitted by my colleagues. They have offered clear, thoughtful, and well-researched arguments supporting the capability and value of APRNs for meeting the healthcare needs of Hawaii's communities. For my testimony, I respectfully share with you some of my personal experience working in a rural, underserved area.

Although I was born and raised on O'ahu, like many, I moved to Hawaii Island for both the rural lifestyle and the more affordable cost of housing. My husband and I have lived here for approximately 15 years and now call this unique and wonderful place our home. During this time, I have worked in various roles in the healthcare system, including as a case manager, nurse, nursing educator, and now as an APRN. I have seen first-hand the critical shortage of healthcare providers on our island and the impact this has on the health and well-being of our community. I have lived it day-to-day as a healthcare professional, a patient, and a family member of someone who has been ill. Through these varied experiences, I have witnessed the significant population growth in our area and have seen it rapidly outpace the infrastructure and resources available to help people survive serious illness or injury, manage chronic disease, and lead healthy lives.

Presently, I work at a healthcare organization that regularly struggles to recruit qualified clinical professionals who have both a personal investment in our community and a desire to live here for the long-term. Like many APRNs, I pursued my advanced training and education in the community where I live, compelled to be part of the healthcare solution. In fact, the dire need for healthcare providers on our island motivated and inspired me to attend the University of Hawaii at Hilo for both my baccalaureate and doctorate degrees in nursing. I know many other nurses and APRNs here who share a similar experience, and offer my sincere gratitude to the UH system for supporting an advanced practice nursing program in our rural community. As I continue to work, learn, and grown in my role as a healthcare provider, I also see how difficult it is to recruit qualified healthcare professionals to lead organizations that are stressed and overwhelmed by the complex needs of our diverse and growing population. APRNs have been part of the access solution in many medically-underserved communities and are well-positioned to be part of the solution for leading the healthcare organizations

that serve these same vulnerable populations. As part of the Doctor of Nursing Practice education at UH Hilo, we were trained in not only in the diagnosis, assessment, and treatment of disease, but also completed graduate courses in rural population health, quality improvement, program evaluation and development, health information technology, health economics, health policy, leadership, and evidence-based practice. We were challenged by our program to consider our patients' health from both population and systems perspectives. We were also taught to view healthcare as a collaborative effort to problem-solve barriers to affordable, equitable, safe, and effective patient care. Our mentors expected that we not only be capable clinicians, but that we also be innovators and leaders in a complex system that is constantly changing. As such, I respectfully propose that APRNs are valuable to the organizations they serve, not only as skilled providers, but also as qualified and capable leaders. For these reasons, and many others, I strongly support HB 658 which is now before you for consideration.

Sincerely,

Tracy Thornett, DNP, APRN

HB-658-HD-1

Submitted on: 3/18/2019 8:31:34 AM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Susan Lee	Individual	Support	No

Comments:

HB-658-HD-1

Submitted on: 3/18/2019 12:47:24 AM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Yokouchi	Individual	Support	No

Comments:

HB-658-HD-1

Submitted on: 3/17/2019 12:24:02 AM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Jessica Roberts	Individual	Support	No

Comments:

NPs should be eligible for medical directorship reasons. Most APRNs learn and train in rural and underserved communities, and are likely to stay and work in these communities, in the face of a severe physician shortage where strong and invested healthcare leaders are needed most.

HB-658-HD-1

Submitted on: 3/17/2019 9:21:44 PM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Bryan Chin	Individual	Support	No

Comments:

I work on Maui and thank you for this opportunity to provide written testimony in support of HB 658, Relating to Health.

Advanced practice registered nurses (APRNs), including nurse practitioners (NPs), are not only a thriving solution to the Hawaii's statewide medical provider shortage problem, they are leaders in their field and in the health care industry as a whole. As the fastest growing provider group, NPs have full practice and prescriptive authority in the state of Hawaii, meaning they can practice independently and without supervision from a medical doctor. They can work as primary care providers or become certified in specialty care areas. Often, patients find NPs and other APRNs to be more approachable, relatable and engaged in their health-care needs compared to other providers.

I am certified as a Family Nurse Practitioner and currently serve as the Director of Clinical Services at Maui A.I.D.S. Foundation, where I am working to expand clinical services from HIV, hepatitis C, and syphilis testing to a more comprehensive model of sexual health services. I work with a panel of underserved and underheard individuals who may not otherwise have access to PrEP (or Pre-exposure Prophylaxis, a medication that prevents HIV infection) or to treatment for sexually transmitted infections that they were uncomfortable talking to their primary care providers about. I am able to provide access to this sort of care, make proper decisions on treatment, and create protocols and procedures for our clinic. All APRNs are qualified to make such decisions and take on such roles of leadership, management, and administration.

APRNs are qualified to serve as Medical Directors and thus should be included as such in the Hawaii State Department of Health Administrative Rules.

Thank you for your consideration,

Bryan Chin, MSN, APRN, FNP-BC

Wailuku, Hawaii 96793

HB-658-HD-1

Submitted on: 3/17/2019 11:35:34 PM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Lehuanani Akau	Individual	Support	No

Comments:

March 17, 2019

Aloha Rep. Sylvia Luke and the state of Hawaii legislatures,

My name is Lehuanani Akau and I am an Advanced Practice Registered Nurse (APRN) as a Family Nurse Practitioner. This letter is in regards to the state of Hawaii house bill 658 addressing and naming APRN's as "Medical Directors" in medical organizations and healthcare facilities. This bill is sought to address and revise Hawaii state administrative rules allowing APRN's to be identified as medical directors of all public and State Health Care facilities. I am in full support of such a change. This shift in healthcare will address the current nationwide shortage of primary care physicians and decline in enrollment globally in medical schools. Advanced practice registered nurses have a total of 15 to 20 plus years of patient care, administrative responsibilities and prescribing authority in the state of Hawaii, many currently taking on the role as a primary care provider. By allowing APRN's the ability to take on the role of medical directors, Hawaii will be opening up ways for an increase in healthcare accessibility, offering an extensive knowledge in nursing, medicine and patient care. Many of the courses APRN's have completed within curriculum addresses executive administrative knowledge such as healthcare statistics, Healthcare economics, leadership in administration and advanced epidemiology, many courses of which medical school curriculum DO NOT require. Given these requirements, APRN's offer advantages for an organization and patient satisfaction when they are named as medical director bringing knowledge and mastery of such said skills. There are numerous private clinics independently operating in Hawaii solely owned, staffed and licensed and insured by APRN's (E.g. Keaau Medical Clinic and Bayview Clinic, etc.), which has increased access to health care in many rural communities lacking funding or transportation for many individuals. According to AANP, 2018, there are 26 states currently allowing APRN's the ability to fully practice in similar scopes as a physician, many of which having the densest of populations being classified as rural committees. Hawaii is amongst those 26 states understanding the benefits of increasing access to healthcare by utilizing APRN's in emergency rooms, specialty clinics(cardiac cath lab, OR, mental health, etc). Many hospitals have found great benefits in using APRN's as executive administrators within their organization. A great example of such an individual is Bob

Donaldson, clinical director of emergency medicine and president of the medical staff at Ellenville Regional Hospital in New York. Voted amongst his peers as being "refreshing" and "Integral part of providing quality care healthcare. Currently, I am a practicing advanced nursing registered nurse practitioner with several specialties ranging in family practice to pediatric Health cardiology and the most recent aesthetic medicine. I am currently a clinical director and owner of an aesthetic practice. I currently hold an instructor position at University of Hawaii Hilo, School of Nursing and have been in education for the past 9 years. Many APRN's are currently teaching in multiple schools of nursing or medicine and many have advanced knowledge and post-graduate degrees in business or education such as I. Prior to the open of my practice, I developed written protocols and implemented clinical practice policies and procedures necessary for preventive, diagnostic and therapeutic services for our patients and have met all patient care objectives highlighted in such policies. I have worked in collaboration with other health care facility administrators and executives of aesthetic organizations including Kaiser Permanente in creating practice protocol for best practices. I have supervised professional staff and clinical staff including physicians and other mid-level providers. I am in full support of having an advanced practice registered nurse with a master's or a doctorate in nursing practice degree to be able to hold and stand in the role as a medical director.

Mahalo

Lehuanani Akau,MSN APRN-Rx FNP-BC

University of Hawaii, Hilo

School of Nursing

Clinical Faculty

200 W. Kawili Street

Hilo, HI 96744

Allure Laser Med Spa, Owner/Clinical Director

HB-658-HD-1

Submitted on: 3/18/2019 9:52:20 AM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Katherine Finn Davis	Individual	Support	No

Comments:

HB-658-HD-1

Submitted on: 3/18/2019 10:15:46 AM

Testimony for CPH on 3/19/2019 9:05:00 AM

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

Comments:

HB-658-HD-1

Submitted on: 3/18/2019 11:40:40 AM

Testimony for CPH on 3/19/2019 9:05:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Scharnhorst	Individual	Comments	No

Comments:

Written Testimony Presented Before the

Senate Committee on the Commerce, Consumer Protection, and Health

March 19, 2019 9:05 a.m.

by

Anne Scharnhorst, MN, RN

WRITTEN COMMENTS

HB 658, HD1 RELATING TO HEALTH

Chair Baker, Vice Chair Chang, and members of the Senate Committee on Commerce, Consumer Protection, and Health, thank you for this opportunity to provide **written comments related to this bill, HB 658, HD1 with recommended amendments**. This measure proposes that the Department of Health establish the terms “medical director” and “medical staff” and include providers in this term, including advanced practice registered nurses (APRNs), physicians, dentists, podiatrists, and other individuals licensed by the state who may serve in these roles relative to their education, training, and regulated scope of practice.

Anne Scharnhorst, MN, RN offers the following information for your committee’s review:

- In 2013, the Legislature adopted HCR 53 HD1 requesting collaboration among various state agencies to identify barriers relating to the practice of advanced

practice registered nursing to the full extent of the nurses' education and training in the state. Since this time, state departments, including the Department of Health, have made significant achievements identifying and updating statute to reflect current APRN scope of practice authorization.

- National research indicates that APRNs maintain high quality care, and are likely to provide care to underserved populations including women, children, urban, rural, and Medicaid populations.
 - Hawai'i State Center for Nursing research finds that APRNs work in all regions of Hawai'i. Further, with the launching of three doctor in nursing practice (DNP) programs in this state since 2012, Hawai'i is undergoing rapid growth of APRNs who have completed the doctoral education in this state. Therefore, APRNs are becoming increasingly accessible to fulfill clinical and healthcare leadership roles across this State.
 - This measure, if enacted, will enable health care facilities seeking to employ APRNs in the roles of "medical director".
1. Scharnhorst, MN, RN wishes offers a recommended amendment for SD1 which we respectfully submit for the Committee to consider. This proposed draft establishes a new section in §321 which defines the term "medical director" in lieu of revising §321-11. This will maintain the contents of §321-11 to be describe conditions or business for which the Department of Health may adopt rules as well as establish clarity to the role "medical director" for which is otherwise undefined in this chapter.

Thank you for the opportunity to provide written comments related to this measure.

Proposed S.D. 1

SECTION 1. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§321- Medical directors. (a) A physician licensed pursuant to chapter 453 or an advanced practice registered nurse licensed pursuant to chapter 457 may serve as the medical director of a health care facility.

(b) For purposes of this section:

"Health care facility" shall have the same meaning as in section 323D-2.

"Medical director" means an individual who:

(1) Develops appropriate written policies and procedures to provide the necessary preventive, diagnostic, and therapeutic services to patients to achieve the objectives of a health care facility;

(2) Cooperates with the administrators of a health care facility to:

(A) Approve appropriate staff and professional educational programs; and

(B) Recommend to the governing body the names of licensees to be appointed to the professional staff; and

(3) Monitors and supervises all medical and nursing procedures and policies within a health care facility."

HB-658-HD-1

Submitted on: 3/18/2019 11:59:06 AM

Testimony for CPH on 3/19/2019 9:05:00 AM

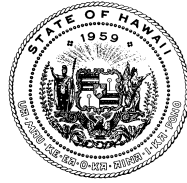
Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Baumstark	Individual	Support	No

Comments:

To the members of the Senate Committee on Commerce, Consumer Protection, and Health~

I am writing in support of the Medical Director Bill HB658 to enable APRNs to act as Medical Directors. I live and work on the island of Molokai where for 7 years I have cared for the women by providing midwifery services. As a Medical Director I can use my education and experience to improve the health care quality by working to develop appropriate written policies and procedures to provide the necessary preventive, diagnostic, and therapeutic services to patients to achieve the objectives of a health care facility; cooperate with the administrators of a health care facility to: approve appropriate staff and professional educational programs and recommend to the governing body the names of licensees to be appointed to the professional staff; and monitor and supervise all medical and nursing procedures and policies within a health care facility. This rural island desperately needs providers to care for our community. The ability for APRNs to become Medical Directors will help to make that possible.

Sincerely,
Jennifer Baumstark, MSN, CNM-BC, APRN-Rx



STATE OF HAWAII
DEPARTMENT OF HEALTH
P. O. Box 3378
Honolulu, HI 96801-3378
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on HB658 HD1
RELATING TO HEALTH.**

LATE

SENATOR ROSALYN H. BAKER, CHAIR
COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Hearing Date: March 18, 2019

Room Number: 229

1 **Fiscal Implications:** N/A.

2 **Department Testimony:** The Department of Health (DOH) respectfully requests the convening
3 of a working group in lieu of proposed amendments to chapter 321, Hawaii Revised Statutes.

4 DOH supports the premise of HB658 HD1 which is to permit advanced practice registered
5 nurses to serve as medical directors, and similar “top of license” conversations.

6 However, the current draft is structurally awkward, lacks a preamble or other wording that
7 provides intent and scope, and creates potential unintended consequences that include:

- 8 • Conflicts with regulations from the Centers for Medicare and Medicaid Services,
- 9 • Definitions of “medical director” and “medical staff” that may be inconsistent with the
10 practices of public and private sector health systems, including between levels of care,
11 and
- 12 • Infringement on long-standing community practices for health care providers and
13 facilities to determine their own medical and administrative governance.

14 The department is hopeful that some basic research and consultation among stakeholders, which
15 did not happen prior to the introduction of this measure, can produce a workable measure.

16 However, there is insufficient time in the 2018 session to do this. DOH is willing to serve as
17 chair of this working group to guide the community policy discussion more smoothly in future
18 legislative session. If the Senate Committee on Commerce, Consumer Protection, and Health

1 requests this task force, the department recommends participants include the Hawaii State Center
2 for Nursing, the Healthcare Association of Hawaii, and any other appropriate state agencies.
3 Furthermore, the department requests that the working group be exempt from chapter 92.

4 **Offered Amendments:**

5 SECTION 1. The legislature finds that Hawaii Administrative
6 Rules promulgated by the department of health reserves the role of
7 medical director exclusively for physicians. For example, Title 11-
8 93-55 regulating broad service hospitals defines medical director as
9 "a suitably qualified physician who is appointed by the governing
10 body..."

11 The legislature further finds that advanced practice registered
12 nurses may practice medicine independently and fill critical roles in
13 the health care system alongside physicians as practicing clinicians
14 and medical leadership.

15 However, the practical role of medical director varies greatly
16 depending on size and type of health care facility. It is common
17 practice for hospitals to use the nomenclature of "chief of staff" for
18 the facility's physician leader of medical staff, whereas at a skilled
19 nursing facility the term "medical director" is more common. In
20 addition to these divergent practices, there may be regulations from
21 the US Centers for Medicare and Medicaid Services regarding the
22 qualifications of a medical director that must be researched and
23 reconciled to assure compliance.

1 Lastly, the legislature finds that further community discussion
2 is required to assure that proposed statutory definitions do not
3 infringe on the rights of health care entities to govern themselves
4 and freely determine the qualifications of their staff. Proposed
5 definitions of "medical director" may be exclusionary or overly broad
6 for a large multi-campus hospital compared to a free-standing
7 specialty clinic.

8 SECTION 2. "(a) The department of health shall establish and
9 convene the advanced practice registered nurse medical leadership
10 working group to research and make recommendations to permit advanced
11 practice registered nurses to be eligible for medical leadership
12 positions, as well as identifying any exceptions, federal regulations,
13 or other circumstances in which eligibility for positions of medical
14 director or medical director-analogs may be inappropriate.

15 (b) The advanced practice registered nurse medical leadership
16 working group shall consist of the following representatives or their
17 designees:

18 (1) The director of health;

19 (2) The director of commerce and consumer affairs;

20 (3) The director of the Hawaii center for nursing;

21 (4) A representative from a health care facility trade
22 association; and

1 (5) Other representatives from health care or academia as
2 requested by the director of health.

3 The director of health or their designee shall serve as the
4 chairperson of the working group.

5 (c) The advanced practice registered nurse medical leadership
6 working group shall be exempt from part I of chapter 92, Hawaii
7 Revised Statutes.

8 (d) The advanced practice registered nurse medical leadership
9 working group shall submit a final report of its findings and
10 recommendations, including any proposed legislation, to the
11 legislature no later than twenty days before the convening of the
12 regular session of 2020."

13

Written Testimony Presented Before the
Senate Committee on Commerce, Consumer Protection and Health

Hearing: March 19, 2019 at 9:05am
Room 229

By Members of



American Nurses Association
in Hawaii

LATE

HB658, HD1 RELATING TO HEALTH

Chair Rosalyn H. Baker and Vice Chair Stanley Chang, members of the Senate Committee on Commerce, Consumer Protection and Health, thank you for this opportunity to provide testimony in strong support for HB658, HD1, Relating to Health.

We are members of the American Nurses Association (ANA) in Hawaii, who are registered professional nurses practicing in this state. ANA is the national professional organization of registered nurses that sets the professional standards of nursing practice in this nation and represents nursing interests on a national basis through its association of 48 member states.

This amended bill would allow Advanced Practice Registered Nurses (APRNs) to be included within certain rules adopted by the Department of Health in the State of Hawaii. The definition of “Medical Director” is clarified to allow both physicians and APRNs to apply for those positions, broadening the pool of highly qualified applicants. The definition of “Medical Staff” is also clarified to allow the inclusion of APRNs and other licensed, direct care providers, as is the current practice in many institutions and agencies in our state. This is appropriate as APRNs meet all the requirements to act in both capacities and have been doing so in similar situations throughout the healthcare system to date.

We respectfully request that HB658-HD1 pass out of this committee. Thank you for your continued support for measures that address the need for Department of Health rules to be updated to reflect current practice in delivering safe and effective healthcare in our community.

Contact information:

Dr. Linda Beechinor, APRN-Rx, FNP-BC
500 Lunalilo Home Road, #27-E
Honolulu Hawaii USA 96825

phone (808) 779-3001
e-mail: L.Beechinor@hawaiiintel.net