



DAVID Y. IGE  
GOVERNOR

JOSH GREEN  
LT. GOVERNOR

**STATE OF HAWAII  
OFFICE OF THE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

335 MERCHANT STREET, ROOM 310  
P.O. BOX 541  
HONOLULU, HAWAII 96809  
Phone Number: 586-2850  
Fax Number: 586-2856  
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN  
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI  
DEPUTY DIRECTOR

**Testimony of the Department of Commerce and Consumer Affairs**

**Before the  
House Committee on Finance  
Thursday, February 21, 2019  
11:00 a.m.  
State Capitol, Conference Room 308**

**On the following measure:  
H.B. 1363, H.D. 2, RELATING TO NURSES**

Chair Luke and Members of the Committee:

My name is Charlene Tamanaha, and I am the Acting Licensing Administrator of the Department of Commerce and Consumer Affairs' (Department) Professional and Vocational Licensing Division (PVL or Division). The Department opposes this bill.

The purpose of this bill is to establish a study to identify issues that may arise if the State joins the Nurse Licensure Compact (NLC).

The establishment of a task force to study and identify issues of the NLC as outlined in this bill would be a huge undertaking by the Department and its PVL. As written, the bill essentially creates a regulatory licensing-type board, although its members are not subject to Hawaii Revised Statutes (HRS) chapter 84-17 and chapter 92. The investigation mandated by this bill requires the task force to perform extensive research and to coordinate with other entities to accomplish the scope of the investigation, which culminates in the drafting of a report to the Legislature 20 days prior to the convening of the Regular Session of 2020.

Currently, the PVL has experienced a decrease in its workforce of executive officers and secretaries due to transfers and retirement. The Division has four vacant executive officer positions and two secretary positions. The current staff have been tasked with assuming additional assignments for licensing areas. While the PVL is working diligently to fill these vacancies and commence training, this bill will add to the Division's already burdened staff. The PVL is unable to absorb this new workload with its current personnel.

Should the Committee decide to pass this measure, the PVL requests an appropriated out of the general revenues of the State of Hawaii the sum of \$146,000, which is the cost for salary and fringe for an executive officer (Administrative Assistant I \$85,000) and a Secretary II (\$61,000) for the fiscal year 2019-2020, to carry out the mandates of this bill. Since the Department of Health will reimburse task force members for necessary expenses, including travel expenses, incurred for serving on the task force, the amount of appropriation that the PVL is requesting covers only personnel costs for the Department.

Thank you for the opportunity to testify on this bill.

**Testimony of the Board of Nursing  
Before the  
House Committee on Finance**

**Thursday, February 21, 2019  
11:00 a.m.  
State Capitol, Conference Room 308**

**On the following measure:  
H.B. 1363, H.D. 2, RELATING TO NURSES**

Chair Luke and Members of the Committee:

My name is Lee Ann Teshima, and I am the Executive Officer of the Board of Nursing (Board). The Board offers comments on this bill.

The purpose of this bill is to establish a study to identify issues that may arise if the State joins the Nurse Licensure Compact (NLC).

The Board remains concerned that the NLC language cannot be amended to address Hawaii's specific requirements to ensure consumer protection and patient safety. Some of the Board's concerns include:

1. Inconsistent renewal requirements. For example, the Board requires mandatory continued competency to renew a license. Many NLC-participating states do not have this same requirement.
2. It is unclear whether the Board may take disciplinary action against a multistate licensed nurse, as that nurse would not hold a license issued by the Board.
3. A multistate licensed nurse does not have to apply for or notify the Board that the nurse is practicing in this state. Thus, the Board is unclear how this will impact Hawaii's nursing workforce needs. The Board and the Hawaii State Center for Nursing work collaboratively to address the nursing workforce to meet the needs of Hawaii residents.
4. It is unclear what the fiscal impact will be on the Board and the Department of Commerce and Consumer Affairs (DCCA). Some states that have enacted the NLC have had to increase their license fees to compensate for their loss of revenue. The Board would like to ensure that

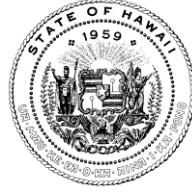
its current licensees are not negatively impacted by a possible increase in fees to join the NLC.

Currently, 31 states have enacted the NLC legislation. Eight states, including Hawaii, have pending legislation to join the NLC (Washington, Illinois, Michigan, Indiana, New Jersey, Massachusetts, and Michigan).

The Board will gladly participate in this working group and will continue monitoring possible changes to the NLC.

Lastly, the Board defers to the DCCA regarding the placement of the working group in that department and the appropriation amount needed for the work to be performed.

Thank you for the opportunity to testify on this bill.



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**Testimony of the Department of Commerce and Consumer Affairs**

**Before the  
House Committee on Finance  
Thursday, February 21, 2019  
11:00 a.m.  
State Capitol, Conference Room 308**

**On the following measure:  
H.B. 1363, H.D. 2, RELATING TO NURSES**

Chair Luke and Members of the Committee:

My name is Esther L. Brown, and I am the Acting Complaints and Enforcement Officer of the Department of Commerce and Consumer Affairs' (Department) Regulated Industries Complaints Office (RICO). RICO offers comments on this bill.

H.D. 2 establishes a task force, administratively supported by the Department, to investigate the feasibility of adopting the multistate Nurse Licensure Compact (NLC). The task force includes a representative from RICO, a representative from the Hawaii Board of Nursing, a representative from the Hawaii Center for Nursing, the Chair of the House Committee on Consumer Protection and Commerce or designee, and the Chair of the Senate Committee on Commerce, Consumer Protection, and Health or designee. This task force will allow for a full analysis of all relevant issues relating to the implementation and enforcement of the NLC.

RICO appreciates the opportunity to participate in this task force and defers to the Professional and Vocational Licensing Division (PVL) regarding the placement of

the working group in the Department and the appropriation amount needed for the PVL to perform the work.

Thank you for the opportunity to testify on this bill.



Written Testimony Presented Before the  
House Committee On Finance  
Thursday, February 21, 2019 at 11:00 a.m.  
By  
Laura Reichhardt, MS, APRN, AGNP-C  
Director, Hawai'i State Center for Nursing

### HB1363, H.D. 2 RELATING TO NURSES

Chair Luke, Vice Chair Cullen, and members of the Finance Committee:

Thank you for this opportunity to provide comments related to H.B.1363, H.D. 2 that aims to establish a study to identify issues that may arise if the State joins the Nurse Licensure Compact.

The Center for Nursing wishes to provide comments that it prefers the H.D. 2 draft of this measure. The H.D. 2 establishes a multi-state nurse licensure compact task force of the department of commerce and consumer affairs as the agency which includes department of commerce and consumer affairs' regulated industries complaints office, a representative from the state board of nursing; a representative from the Hawaii state center for nursing; the chair of the house committee on consumer protection & commerce or the chair's designee; and the chair of the senate committee on commerce, consumer protection, and health, or the chair's designee. This version also includes appropriations for the purpose of this measure.

The Center was established by the legislature, in its great wisdom, in 2003, with H.B. 422 H.D. 2, S.D. 2, C.D. 1 which was passed into law with Act 198, SLH 2003. The mission of the Center is through collaborative partnerships, to provide accurate nursing workforce data for planning, disseminate nursing knowledge to support excellence in practice and leadership development; promote a diverse workforce and advocates for sound health policy to serve the changing health care needs of the people of Hawai'i.

The Center is a member of the National Forum of State Nursing Workforce Centers, which produced the policy brief, titled "the Fundamental Role of Nursing Workforce Centers in State Workforce Policy Development". This brief notes:

*"Collecting, analyzing, and reporting of state level data by Workforce Centers helps to drive policy at the state level... Examples include: "providing expertise on quality data collection and analysis based on the different methods and resources available, providing information on the unique demographics of the state such as trends in age and ethnicity and reporting on trends in the nursing workforce that result from state policy".*

The Center currently offers the most comprehensive analysis related to the nursing workforce in this state, by county and by license group, specialty and setting. When states adopt the Nursling License Compact, the method and mechanism for workforce research is limited. In particular the ability to fully assess the nurses working in Hawai'i under another's Compact state's license is inhibited. Further, there is no nationally identified approach to addressing state nursing workforce supply and demand in a state with the Nurse License Compact. The impacts on assessing educational capacity and needs to ensure a robust future nursing workforce are also unknown.

Thank you for the opportunity to provide comments.





# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
House Committee on Finance  
Thursday, February 21, 2019 at 11:00 a.m.

by

Mary G. Boland, DrPH, RN, FAAN  
Dean and Professor  
School of Nursing and Dental Hygiene  
and

Michael Bruno, PhD  
Interim Vice Chancellor for Academic Affairs and Vice Chancellor for Research  
University of Hawai'i at Mānoa

### HB1363 HD2 – RELATING TO NURSES

Chair Luke, Vice Chair Cullen, and members of the House Committee on Finance:

Thank you for this opportunity to provide comments related to HB 1363 HD2 that establishes a study to identify issues that may arise if the State joins the Nurse Licensure Compact.

The UH Mānoa School of Nursing and Dental Hygiene (UHM SONDH) prefers the HD2 draft of this measure, with new language establishing a multi-state nurse licensure compact task force under the Department of Commerce and Consumer Affairs with appropriations for the task force's administrative work. The task force members consist of the Department of Commerce and Consumer Affairs' Regulated Industries Complaints Office, a representative from the State Board of Nursing; a representative from the Hawai'i State Center for Nursing; the Chair of the House Committee on Consumer Protection and Commerce or the Chair's designee; and the Chair of the Senate Committee on Commerce, Consumer Protection, and Health, or the Chair's designee.

The UHM SONDH agrees with the comments provided by the Department of Commerce and Consumer Affairs' Regulated Industries Complaints Office and the Hawai'i Board of Nursing in its testimony related to HB 1363 to the House Committees on Health and Intrastate Commerce and wishes to provide additional comments:

- The Hawai'i State Center for Nursing's 2017 Nursing Workforce Supply Report, documents that our state nursing workforce is one of the most highly educated in the nation with 72% of nurses holding a bachelor's degree or higher whereas the national average is 54%. This high rate of baccalaureate nursing degree academic preparation is in response to the Institute of Medicine's call for at least 80% of all RNs to hold a bachelor's degree in nursing or higher as a benchmark to achieve a nursing workforce that is highly educated, embraces a culture of

professional development and lifelong learning, and is well equipped to take care of the increasingly challenging healthcare needs of patients, and deliver care in an highly complex health care system.

- In 2003, the Legislature passed HB 422 HD2 SD2 CD1 which was passed into law with Act 198, SLH 2003, and established the Hawai'i State Center for Nursing. The Center is mandated to proactively address nursing workforce planning including assessments of the current nursing workforce supply (practicing nurses in Hawai'i) that is critical for healthcare planning and policy.
- Recent Center findings indicate that the number of active and employed nurses across our island state is representative of each county's overall population. From this, we gather that nurses are well distributed and contributing to the care needs of the communities where they live and serve. Should the Nurse License Compact be enacted, the ability to assess and analyze the presence of the current, available nursing workforce, including demographics, location of care, or setting, specialty and role of the nurse, will be diminished. This will compromise critical state healthcare workforce planning efforts.
- There is no nationally identified approach to addressing state nursing workforce supply and demand in a state with the Nurse License Compact.

Thank you for the opportunity to provide comments.

Written Testimony Presented Before the  
House Committee on Finance  
Hearing: February 21, 2019, 11:00 AM

By Members of the



American Nurses Association  
in Hawaii

HB 1363, HD2 RELATING TO NURSES

Chair Luke, Vice Chair Cullen, and members of the House Committee on Finance, thank you for this opportunity to provide testimony in strong support for HB 1363, HD2, Relating to Nurses.

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. There are 48 state nurses' associations in ANA including those who are participating in the current Nurse Licensure Compact within the National Council of State Boards of Nursing, and those who are not.

This bill endeavors to establish a task force to examine the feasibility of adopting a multi-state nurse licensure compact in Hawaii. We believe the six issues identified in this bill for the task force to investigate are comprehensive and reflect our mutual interest in protecting the consumer in matters of professional nursing practice.

We respectfully request that HB1363, HD2, pass out of this committee. Thank you for your continued support for and careful consideration of nursing practice issues as they impact 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@hawaiiantel.net](mailto:L.Beechinor@hawaiiantel.net)

**HB-1363-HD-2**

Submitted on: 2/19/2019 9:22:52 AM

Testimony for FIN on 2/21/2019 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Anne Scharnhorst	Individual	Comments	No

Comments:

**Written Testimony Presented Before the**

**House Committee on Finance**

**Thursday, February 21, 2019 at 11:00 a.m.**

**By Anne Scharnhorst**

**HB 1363, HD2 RELATING TO NURSES**

Chair Luke, Vice Chair Cullen, and members of the Finance Committee:

Thank you for this opportunity to provide comments related to HB 1363, HD 2 that aims to establish a study to identify issues that may arise if the State joins the Nurse Licensure Compact.

**Anne Scharnhorst** wishes to provide comments that it prefers the HD 2 draft of this measure. The HD 2 establishes a multi-state nurse licensure compact task force of the department of commerce and consumer affairs as the agency which includes department of commerce and consumer affairs' regulated industries complaints office, a representative from the state board of nursing; a representative from the Hawai'i state center for nursing; the chair of the house committee on consumer protection & commerce or the chair's designee; and the chair of the senate committee on commerce, consumer protection, and health, or the chair's designee. This version also includes appropriations for the purpose of this measure.

The Center was established by the legislature, in its great wisdom, in 2003, with HB 422 HD 2, SD 2, CD 1 which was passed into law with Act 198, SLH 2003. The mission of the Center is through collaborative partnerships, to provide accurate nursing workforce data for planning, disseminate nursing knowledge to support excellence in practice and leadership development; promote a diverse workforce and advocates for sound health policy to serve the changing health care needs of the people of Hawai'i.

The Center is a member of the National Forum of State Nursing Workforce Centers, which produced the policy brief, titled “the Fundamental Role of Nursing Workforce Centers in State Workforce Policy Development”. This brief notes:

*“Collecting, analyzing, and reporting of state level data by Workforce Centers helps to drive policy at the state level... Examples include: “providing expertise on quality data collection and analysis based on the different methods and resources available, providing information on the unique demographics of the state such as trends in age and ethnicity and reporting on trends in the nursing workforce that result from state policy”.*

The Center currently offers the most comprehensive analysis related to the nursing workforce in this state, by county and by license group, specialty and setting. When states adopt the Nursing License Compact, the method and mechanism for workforce research is limited. In particular the ability to fully assess the nurses working in Hawai'i under another's Compact state's license is inhibited. Further, there is no nationally identified approach to addressing state nursing workforce supply and demand in a state with the Nurse License Compact. The impacts on assessing educational capacity and needs to ensure a robust future nursing workforce are also unknown.

Thank you for the opportunity to provide comments.

**HB-1363-HD-2**

Submitted on: 2/19/2019 11:28:06 AM

Testimony for FIN on 2/21/2019 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Katherine Finn Davis	Individual	Support	No

Comments:

**HB-1363-HD-2**

Submitted on: 2/19/2019 1:45:25 PM

Testimony for FIN on 2/21/2019 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Buchner	Individual	Support	No

Comments:

**Written Testimony Presented Before the  
House Committee on Finance  
Thursday, February 21, 2019 at 11:00 a.m.  
By  
Beth Hoban, RN (Board Member)  
Hawaii State Center for Nursing**

**HB 1363, HD2 RELATING TO NURSES**

Chair Luke, Vice Chair Cullen, and members of the Finance Committee:

Thank you for this opportunity to provide comments related to HB 1363, HD 2 that aims to establish a study to identify issues that may arise if the State joins the Nurse Licensure Compact.

**I, Beth Hoban**, wishes to provide comments that it prefers the HD 2 draft of this measure. The HD 2 establishes a multi-state nurse licensure compact task force of the department of commerce and consumer affairs as the agency which includes department of commerce and consumer affairs' regulated industries complaints office, a representative from the state board of nursing; a representative from the Hawai'i state center for nursing; the chair of the house committee on consumer protection & commerce or the chair's designee; and the chair of the senate committee on commerce, consumer protection, and health, or the chair's designee. This version also includes appropriations for the purpose of this measure.

The Center was established by the legislature, in its great wisdom, in 2003, with HB 422 HD 2, SD 2, CD 1 which was passed into law with Act 198, SLH 2003. The mission of the Center is through collaborative partnerships, to provide accurate nursing workforce data for planning, disseminate nursing knowledge to support excellence in practice and leadership development; promote a diverse workforce and advocates for sound health policy to serve the changing health care needs of the people of Hawai'i.

The Center is a member of the National Forum of State Nursing Workforce Centers, which produced the policy brief, titled "the Fundamental Role of Nursing Workforce Centers in State Workforce Policy Development". This brief notes:

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The Center currently offers the most comprehensive analysis related to the nursing workforce in this state, by county and by license group, specialty and setting. When states adopt the Nursling License Compact, the method and mechanism for workforce research is limited. In particular the ability to fully assess the nurses working in Hawai'i under another's Compact state's license is inhibited. Further, there is no nationally identified approach to addressing state nursing workforce supply and demand in a state with the Nurse License Compact. The impacts on assessing educational capacity and needs to ensure a robust future nursing workforce are also unknown.

Thank you for the opportunity to provide comments.

Written Testimony Presented Before the  
House Committee on Finance  
Thursday, February 21, 2019 at 11:00 a.m.

By  
Karen Boyer, RN, MN, FNP  
Kapi'olani Community College Health programs

## HB 1363, HD2 RELATING TO NURSES

Chair Luke, Vice Chair Cullen, and members of the Finance Committee:

Thank you for this opportunity to provide comments related to HB 1363, HD 2 that aims to establish a study to identify issues that may arise if the State joins the Nurse Licensure Compact. This information has been provided for **written** testimony for this bill.

Karen Boyer wishes to provide comments that it prefers the HD 2 draft of this measure. The HD 2 establishes a multi-state nurse licensure compact task force of the department of commerce and consumer affairs as the agency which includes department of commerce and consumer affairs' regulated industries complaints office, a representative from the state board of nursing; a representative from the Hawai'i state center for nursing; the chair of the house committee on consumer protection & commerce or the chair's designee; and the chair of the senate committee on commerce, consumer protection, and health, or the chair's designee. This version also includes appropriations for the purpose of this measure.

The Center was thoughtfully established by the legislature in 2003, with HB 422 HD 2, SD 2, CD 1 which was passed into law with Act 198, SLH 2003. The mission of the Center is through collaborative partnerships, to provide accurate nursing workforce data for planning, disseminate nursing knowledge to support excellence in practice and leadership development; promote a diverse workforce and advocates for sound health policy to serve the changing health care needs of the people of Hawai'i.

Additional items of concern include regulating the practice of nurses that have out-of-state licenses and/or have a license with discipline measures attached. At this reading, 12 states do not have continuing competency requirements so those nurses may not meet current requirements of this state.

HB 1363 HD2 addresses reviewing the impact the compact would have on the practice of nursing to ensure a safe and robust future nursing workforce.

Thank you for the opportunity to provide comments.

**HB-1363-HD-2**

Submitted on: 2/20/2019 12:21:12 PM

Testimony for FIN on 2/21/2019 11:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Andrea Kubota	Individual	Support	No

Comments:

I support HB 1363 HD2. The study may allow our State to move forward with participating with other Compact States. There are many benefits to being a part of the Compact which I am confident will be identified through this study. Thank you for the consideration.