

STAND. COM. REP. NO.

228

Honolulu, Hawaii

, 2021

FEB 12

RE: H.B. No. 302
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred H.B. No. 302 entitled:

"A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize advanced practice registered nurses to certify whether a person is totally disabled for purposes of the income tax code;
- (2) Authorize advanced practice registered nurses to make capacity determinations for the purposes of advance mental health care directives; and
- (3) Add advanced practice registered nurses as primary providers in advance mental health care directives.

Your Committee received testimony in support of this measure from The Queen's Health Systems, Hawaii - American Nurses Association, Hawaii Association of Professional Nurses, Hawaii Psychological Association, Hawaii State Center for Nursing, and three individuals. Your Committee received testimony in opposition to this measure from two individuals. Your Committee

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received comments on this measure from the Department of Taxation and Board of Nursing.

Your Committee finds that currently advanced practice registered nurses are permitted to practice to the full scope of their authorized practice, including practicing as primary care providers. Your Committee further finds certain sections of state law do not include advanced practice registered nurses within the scope of primary care providers for the purposes of disability determinations under the state income tax code or for advance mental health care directives. Your Committee believes that amending state law to be in conformity with the current scope of practice for advanced practice registered nurses is in the public's best interest.

Your Committee has amended this measure by:

- (1) Clarifying that mental health capacity determinations may be made by an advanced practice registered nurse who holds an accredited national certification in an advanced practice registered nurse psychiatric specialization;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 302, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 302, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



Respectfully submitted on
behalf of the members of the
Committee on Health, Human
Services, & Homelessness,



RYAN I. YAMANE, Chair



State of Hawaii
House of Representatives
The Thirty-first Legislature

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Record of Votes of the Committee on Health, Human Services, & Homelessness

Bill/Resolution No.: <i>HB 302</i>	Committee Referral: <i>HHH, CFC, FIN</i>	Date: <i>02/09/2021</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HHH Members	Ayes	Ayes (WR)	Nays	Excused
1. YAMANE, Ryan I. (C)	✓			
2. TAM, Adrian K. (VC)	✓			
3. GATES, Cedric Asuega	✓			
4. HAR, Sharon E.	✓			
5. KAPELA, Jeanne	✓			
6. LoPRESTI, Matthew S.				✓
7. NISHIMOTO, Scott Y.	✓			
8. WARD, Gene	✓			
TOTAL (8)	7			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				