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Testimony of the Department of Commerce and Consumer Affairs

Before the
House Committee on Consumer Protection and Commerce
Thursday, March 16, 2023
2:30 p.m.
Conference Room 329 and Videoconference

On the following measure:
**S.B. 438, RELATING TO THE PROFESSIONAL AND VOCATIONAL LICENSING
ACT**

Chair Nakashima and Members of the Committee:

My name is Ahlani Quiogue, and I am the Licensing Administrator of the Department of Commerce and Consumer Affairs' (Department) Professional and Vocational Licensing Division (Division). The Department supports this bill, which is similar to its administration bill, S.B. 1323.

The purposes of this bill are to: (1) reduce the period for which an application shall be considered abandoned from two years to one year; (2) specify the conditions under which applications for licenses and examinations will be deemed abandoned; (3) provide that the one-year period after which an application is considered abandoned cannot be extended; (4) provide that a licensing authority shall not be required to act on any abandoned application and that the licensing authority may destroy abandoned applications; and (5) clarify that an application submitted after an abandoned application

shall be treated as a new application and that the applicant shall comply with any new licensing requirements in effect at the time of the new application.

The Division has seen a higher than usual backlog of certain healthcare licensing applications. Many healthcare workers intending to be in the State on a temporary basis apply for licensure, but fail to complete the application process prior to leaving the State. Currently, applications must be held open for a period of two (2) years. This bill reduces the amount of time an application must be held open from two (2) years to one (1) year, thereby reducing the volume of applications that the Division must treat as pending. The bill would assist the Division in directing resources to applications requiring active attention and process and will ultimately result in licensure. This bill also encourages applicants to provide relevant supporting documentation timely or to complete the examination requirement timely.

For the Committee's information, the Board of Nursing alone received 1,116 applications between late-February 2021 through December 2021, that have not completed the application process. In contrast, there are 51 pending applications received between late-February 2021 through December 2021, for five other healthcare-related boards or programs. Based on the current law, the Division is required to treat these applications as pending. Should this bill be enacted, this number would be significantly reduced.

Thank you for the opportunity to testify on this bill.

Testimony of the Board of Nursing

**Before the
House Committee on Consumer Protection and Commerce
Thursday, March 16, 2023
2:30 p.m.
Conference Room 329 and Via Videoconference**

**On the following measure:
S.B. 438, RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING**

Chair Nakashima and Members of the Committee:

My name is Chelsea Fukunaga, and I am the Executive Officer of the Board of Nursing (Board). The Board supports the intent of this bill.

The purposes of this bill are to: (1) reduce the period for which an application shall be considered abandoned from two years to one year; (2) specify the conditions under which applications for licenses and examinations will be deemed abandoned; (3) provide that the one-year period after which an application is considered abandoned cannot be extended; (3) provide that a licensing authority shall not be required to act on any abandoned application and that the licensing authority may destroy abandoned applications; and (4) clarify that an application submitted after an abandoned application shall be treated as a new application and that the applicant shall comply with any new licensing requirements in effect at the time of the new application.

Under the Department of Commerce and Consumer Affairs' Professional and Vocational Licensing Division (PVL), nursing applications, whether by endorsement or exam, have the highest number of applications. Although most of the applicants complete the licensure process within a year, some applicants may not follow through on their application because their intent was to not work in Hawaii on a permanent basis. This causes an administrative burden on staff who still have to take the time to review and process these applications. Currently, there are over 2,000 nursing applications with overdue deficiencies.

In addition, the information on an application that was filed over 2 years may no longer be accurate, including information pertaining to disciplinary actions or convictions.

Thank you for the opportunity to testify on this bill.