

STAND. COM. REP. NO. 482

Honolulu, Hawaii

FEB 17 2023

RE: S.B. No. 63  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred S.B. No. 63 entitled:

"A BILL FOR AN ACT RELATING TO NURSES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Allow the Board of Nursing to issue temporary permits for six-month periods to registered nurses and practical nurses licensed in another jurisdiction under certain circumstances; and
- (2) Except from license requirements, nurses who are licensed in another state, territory, or country accompanying a patient from out-of-state for a period of less than two weeks and not employed or affiliated with a health care facility in the State.

Your Committee received testimony in support of this measure from the Board of Nursing, Hawai'i State Center for Nursing, Healthcare Association of Hawaii, Hawai'i - American Nurses Association, Hawaii Medical Service Association, Hawai'i Pacific Health, Hawaii Association of Health Plans, The Queen's Health System, and two individuals. Your Committee received comments on this measure from Department of Commerce and Consumer Affairs and Grassroot Institute of Hawaii.



Your Committee finds that to provide care for the record-setting number of patients resulting from the effects caused by the coronavirus disease 2019 pandemic, the former Governor issued an emergency proclamation allowing out-of-state clinicians to practice in the State without a license. Your Committee further finds that the pandemic has contributed to many nurses retiring or leaving the profession, resulting in a severe reduction in the State's nursing workforce. Since the expiration of the emergency proclamation, critical out-of-state clinicians have been authorized by permit to practice in the State pursuant to emergency rules. This measure helps address the severe nursing shortage in the State by codifying much of the temporary permit process that is currently in place, allowing an easier path for out-of-state registered nurses and licensed practical nurses to practice in the State.

Your Committee acknowledges the testimony of Hawai'i Pacific Health suggesting that the application processes for the temporary permit and license to practice be combined to create a more efficient pathway to licenses.

Additionally, your Committee has included a blank appropriation in this measure. Should your Committees on Commerce and Consumer Protection and Ways and Means choose to deliberate on this measure, your Committee respectfully requests that they consider appropriating \$78,426 to implement the regulation of nurses as required by this measure.

Your Committee has amended this measure by:


- (1) Inserting language that allows an out-of-state registered nurse or licensed practical nurse to simultaneously apply for a license to practice and a temporary permit;
- (2) Inserting language that provides an exception to the six-month expiration date of temporary permits when applications for a license to practice and a temporary permit are filed simultaneously, by extending the validity of the temporary permit to when the board approves the application to practice;



- (3) Inserting language that requires the Board of Nursing to approve an application for a temporary permit within seven business days of receiving a complete application provided that the applicant meets the required criteria;
- (4) Inserting a blank appropriation amount;
- (5) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (6) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 63, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 63, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

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



JOY A. SAN BUENAVENTURA, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Health and Human Services**  
**HHS**

Bill / Resolution No.:* <b>SB 63</b>	Committee Referral: <b>HHS, CPN</b>	Date: <b>2/16/23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
AQUINO, Henry J.C. (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SHIMABUKURO, Maile S.L.	✓			
AWA, Brenton			✓	
<b>TOTAL</b>	<b>4</b>		<b>1</b>	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
<b>Distribution:</b> Original                      Yellow                      Pink                      Goldenrod File with Committee Report    Clerk's Office            Drafting Agency        Committee File Copy				

\*Only one measure per Record of Votes