

A Bill for an Act Relating to Nursing.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 26H-4, Hawaii Revised Statutes, is amended to read as follows:

“§26H-4 ~~[[NEW]]~~ Repeal dates. ~~[(a) [DELETED] (b)]~~ (a) The following chapters are hereby repealed effective December 31, 1984:

- (1) Chapter 436D (Board of Acupuncture)
- (2) Chapter 442 (Board of Chiropractic Examiners)
- (3) Chapter 448 (Board of Dental Examiners)
- (4) Chapter 453 (Board of Medical Examiners)
- ~~[(5) Chapter 457 (Board of Nursing)]~~
- ~~[(6) (5) Chapter 447 (Dental Hygienists)]~~

~~[(c)]~~ (b) The following chapters are hereby repealed effective December 31, 1985:

- (1) Chapter 460 (Board of Osteopathic Examiners)
- (2) Chapter 461 (Board of Pharmacy)
- (3) Chapter 455 (Board of Examiners in Naturopathy)
- (4) Chapter 463E (Podiatry)
- (5) Chapter 451A (Board of Hearing Aid Dealers and Fitters)
- (6) Chapter 457B (Board of Examiners of Nursing Home Administrators)
- (7) Chapter 448H (Elevator Mechanics Licensing Board)

~~[(d)]~~ (c) The following chapters are hereby repealed effective December 31, 1986:

- (1) Chapter 437 (Motor Vehicle Industry Licensing Board)
- (2) Chapter 437B (Motor Vehicle Repair Industry Board)
- (3) Chapter 440 (Boxing Commission)
- (4) Chapter 460J (Pest Control Board)
- (5) Chapter 438 (Board of Barbers)
- (6) Chapter 439 (Board of Cosmetology)

~~[(e)]~~ (d) The following chapters are hereby repealed effective December 31, 1987:

- (1) Chapter 458 (Board of Dispensing Opticians)
- (2) Chapter 459 (Board of Examiners in Optometry)
- (3) Chapter 452 (Board of Massage)
- (4) Chapter 471 (Board of Veterinary Examiners)
- (5) Chapter 441 (Cemeteries and Mortuaries)
- (6) Chapter 463 (Board of Detectives and Guards)

[(f)] (e) The following chapters are hereby repealed effective December 31, 1988:

- (1) Chapter 465 (Board of Certification for Practicing Psychologists)
- (2) Chapter 468E (Board of Speech Pathology and Audiology)
- (3) Chapter 359L (Factory Built Housing Advisory Board)
- (4) Chapter 468B (Solar Energy Device Dealers)
- (5) Chapter 468K (Travel Agencies)
- (6) Chapter 373 (Commercial Employment Agencies)

[(g)] (f) The following chapters are hereby repealed effective December 31, 1989:

- (1) Chapter 444 (Contractors License Board)
- (2) Chapter 448E (Board of Electricians and Plumbers)
- (3) Chapter 464 (Board of Registration of Professional Engineers, Architects, and Surveyors)
- (4) Chapter 466 (Board of Public Accountancy)
- (5) Chapter 467 (Real Estate Commission)

(g) The following chapter is hereby repealed effective December 31, 1990:

- (1) Chapter 457 (Board of Nursing)."

SECTION 2. Section 457-5, Hawaii Revised Statutes, is amended to read as follows:

"§457-5 Duties and powers of board. (a) The board shall hold meetings as it deems necessary. The board shall have a president and a secretary-treasurer who shall be elected annually from its members.

(b) The board may:

- (1) Adopt, amend, or repeal rules pursuant to chapter 91, not inconsistent with the law, as may be necessary to enable it to carry into effect this chapter;
- (2) Prescribe standards for preparing persons for licensure under this chapter;
- (3) Provide for surveys of educational programs as it may deem necessary;
- (4) Accredite educational programs as meet the requirements of this chapter and the rules of the board;
- (5) Deny or withdraw accreditation from educational programs for failure to meet prescribed standards;
- (6) Examine, license, and renew the licenses of qualified applicants;
- (7) Conduct hearings upon charges calling for discipline of a licensee or, denial, suspension, or revocation of a license;
- (8) Exercise the power to issue subpoenas, compel the attendance of witnesses, and administer oaths to persons giving testimony at hearings;

(9) Cause the prosecution of all persons violating this chapter and to incur necessary expenses therefor; and

(10) Keep a record of all its proceedings.

(c) The board shall monitor and evaluate the scope of the practice of nursing in other states and make recommendations to the legislature, when deemed desirable, for appropriate amendment to the definitions under section 457-2 and any other provision of this chapter.

[(b)] (d) The members of the board shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties."

SECTION 3. Section 457-6, Hawaii Revised Statutes, is amended to read as follows:

"§457-6 Executive secretary; other assistants. (a) Subject to chapters 76 and 77, the department of commerce and consumer affairs may employ and remove administrative and clerical assistants as the board may require and prescribe their powers and duties.

(b) [(1)] The department shall employ an executive secretary of the board whose position shall be subject to chapters 76 and 77. The executive secretary shall be employed with due regard to the person's fitness, thorough administrative ability and knowledge [of and experience in the nursing field.] of a health related field.

[(2)] (c) The executive secretary shall, under the supervision of the board, administer this chapter and the rules and orders established thereunder and perform other duties as the board may require[; the]. The executive secretary shall be in charge of the offices of the board and responsible to the board for the preparation of reports and the collection and dissemination of data and other public information relating to nursing. The executive secretary shall maintain a manual of policies and procedures of the board of nursing, which shall be updated when necessary. The manual shall be provided to each member of the board and made available for public inspection."

SECTION 4. Section 457-11, Hawaii Revised Statutes, is amended to read as follows:

"§457-11 Nursing education programs. (a) An institution desiring to conduct a nursing education program to prepare registered or licensed practical nurses shall apply to the board and submit evidence that:

(1) It is prepared to carry out a program in undergraduate nursing education or a program in the training of nurses as licensed practical nurses, as the case may be; and

(2) It is prepared to meet the standards as shall be established by law and by the board.

ACT 182

(b) A survey of the institution and its undergraduate or practical nursing program shall be made by the executive secretary or other authorized employee of the board, who shall submit a written report of the survey to the board. If, in the opinion of the board, the requirements for an accredited nursing education program are met, the program shall be accredited as a nursing education program for registered or licensed practical nurses.

(c) The accreditation standards shall include qualifications necessary for faculty members of the nursing education program; provided that the standards shall not include a requirement that each individual faculty member receive approval of the board prior to teaching in the program. The qualifications shall be reasonable and relevant to the proper teaching of the practice of nursing. In establishing the qualifications, the board shall consult with the University of Hawaii.

[(c)] (d) From time to time as deemed necessary by the board, it shall be the duty of the board, through its authorized representative, to survey nursing education programs in the State. Written reports of the surveys shall be submitted to the board. If the board determines that any accredited nursing education program is not maintaining the standards required by law and by the board, notice thereof in writing specifying the discrepancies shall be immediately given to the institution conducting the program. A program which fails to correct these conditions to the satisfaction of the board within a reasonable time shall be discontinued after a hearing held in conformance with chapter 91."

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved May 29, 1984.)