

ACT 277

H.B. NO. 3212

A Bill for an Act Relating to Nurses.

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

SECTION 1. Chapter 457, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

**“§457- Advanced practice registered nurse; qualifications; recognition; endorsement; fees. (a)<sup>1</sup>** The board shall grant recognition as an advanced practice registered nurse provided the nurse has:

- (1) A current, unencumbered license as a registered nurse in this State;
- (2) An unencumbered license as a registered nurse in all other states in which the nurse is licensed; and
- (3) A master’s degree in nursing as specified in rules adopted by the board or a current certification for specialized and advanced nursing practice from a national certifying body recognized by the board; and
- (4) Paid appropriate fees.”

SECTION 2. Section 26H-4, Hawaii Revised Statutes, is amended as follows:

1. By amending subsection (a) to read:

1994: “(a) The following chapters are hereby repealed effective December 31,

- (1) Chapter 447 (Dental Hygienists)
- (2) [Chapter 457 (Board of Nursing)]
- (3)] Chapter 457A (Nurse Aides)
- [(4)] (3) Chapter 457B (Board of Examiners of Nursing Home Administrators)
- [(5)] (4) Chapter 461 (Board of Pharmacy)
- [(6)] (5) Chapter 468L (Travel Agencies)”

2. By amending subsection (g) to read:

2000: “(g) The following chapters are hereby repealed effective December 31,

- (1) Chapter 439 (Board of Cosmetology)
- (2) Chapter 448F (Electrologists)
- (3) Chapter 454 (Mortgage Brokers and Solicitors)
- (4) Chapter 454D (Real Estate Collection Servicing Agents)
- (5) Chapter 466 (Board of Public Accountancy)
- (6) Chapter 467 (Real Estate Commission)
- (7) Chapter 457 (Board of Nursing).”

SECTION 3. Section 457-2, Hawaii Revised Statutes, is amended by adding a new definition to be appropriately inserted and to read as follows:

““Advanced practice registered nurse” means a registered nurse who has met the qualifications for advanced practice registered nurse set forth in this chapter and through rules of the board, which shall include educational requirements.”

SECTION 4. Section 457-2, Hawaii Revised Statutes, is amended by amending the definition of “the practice of nursing as a registered nurse” to read as follows:

““The practice of nursing as a registered nurse” means the performance of professional services commensurate with the educational preparation and demonstrated competency of the individual having specialized knowledge, judgment, and skill based on the principles of the biological, physical, behavioral, and sociological sciences and nursing theory, whereby the individual shall be accountable and responsible to the consumer for the quality of nursing care rendered. The foregoing may include, but not be limited to, observation, assessment, development, implementation, and evaluation of a plan of care, health counseling, supervision and teaching of other personnel, and teaching of individuals, families, and groups in any stage of health or illness; or administration, supervision, coordination, delegation, and evaluation of nursing practice; or provisions of health care to the patient in collaboration with other members of the health care team as autonomous health care professionals providing the nursing component of health care; or utilization of reasonable judgment in carrying out prescribed medical orders of a licensed dentist, medical doctor, osteopath, or podiatrist licensed in accordance with chapter 448, 453, 460, or 463E[.] or the orders of an advanced practice registered nurse recognized in accordance with this chapter.”

SECTION 5. Section 457-3, Hawaii Revised Statutes, is amended to read as follows:

**“§457-3 State board of nursing; appointment; term of office; removal from office.** The board shall consist of nine members, five of whom shall be registered nurses, two of whom shall be licensed practical nurses and two of whom shall be public members[.]; provided that at the first vacancy of a registered nurse member of the board after the effective date of this Act and thereafter, at least one of the registered nurses shall meet the requirements for recognition as an advanced practice registered nurse set out in this chapter. Both nursing education and direct providers of nursing [service] services shall be represented on the board. The term of office for members of the board shall be three years. No member shall be appointed to more than two consecutive terms or serve more than six consecutive years. Six members of the board shall be residents of the city and county of Honolulu and three shall be residents of counties other than the city and county of Honolulu.”

SECTION 6. Section 457-4, Hawaii Revised Statutes, is amended to read as follows:

**“§457-4 Qualifications of board members.** (a) Each member of the board shall be a resident of this State.

[Registered] Each registered nurse [members] member of the board shall [possess the following additional qualifications:] also:

- (1) [Graduation from] Be a graduate of a state-accredited educational program to prepare for becoming a registered nurse and have at least a bachelor's degree in nursing but preferably a graduate degree in nursing; [and]
- (2) Have a current, unencumbered license as a registered nurse in the State;<sup>2</sup> and
- (3) Have at least five years of experience after graduation in the practice of nursing as a registered nurse and at least three years of active nursing experience as a registered nurse immediately preceding appointment or reappointment.

[Licensed] (b) Each licensed practical nurse [members] member of the board shall [possess the following additional qualifications:] also:

- (1) [Graduation from] Be a graduate of a state-accredited educational program to prepare for becoming a licensed practical nurse; [and]
- (2) Have a current, unencumbered license as a licensed practical nurse[;] in the State; and
- (3) Have at least five years of successful experience in the practice of nursing as a licensed practical nurse after graduation and at least three years of active nursing experience as a licensed practical nurse immediately preceding appointment or reappointment.

(c) Each advanced practice registered nurse member of the board shall:

- (1) Have current, unencumbered recognition by the board as an advanced practice registered nurse; and
- (2) Have at least five years of experience in the practice of nursing as an advanced practice registered nurse and at least three years of active nursing experience as an advanced practice registered nurse immediately preceding appointment or reappointment.”

SECTION 7. Statutory material to be repealed is bracketed. New statutory material is underscored.<sup>3</sup>

SECTION 8. This Act shall take effect upon its approval.

(Approved July 5, 1994.)

**Notes**

1. No subsection (b) designation.
2. "In the State" should be underscored.
3. Edited pursuant to HRS §23G-16.5.