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H.B. NO. 2464

A Bill for an Act Relating to the Duties of the Board of Nursing.

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

SECTION 1. Section 457-2, Hawaii Revised Statutes, is amended by adding the definition of “telehealth”, to read as follows:

““Telehealth” means the use of electronic information and telecommunication technologies to support long-distance clinical health care, patient and professional health-related education, public health and health administration, to the extent that it relates to nursing.”

SECTION 2. Section 457-5, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) In addition to any other powers and duties authorized by law, 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, including the definition of the scope of practice of nursing and the delegation of nursing tasks based upon professional nursing standards[;], which include but are not limited to the standards set forth by national certifying bodies recognized by the board;
- (2) Prescribe standards for preparing persons for licensure as practical nurse or registered nurses and for recognition as advanced practice registered nurses under this chapter;
- (3) [Provide for] Conduct surveys of educational programs as it may deem necessary[;] and practical;
- (4) [Accredit] Approve educational programs [as] that meet the requirements of this chapter and the rules of the board;
- (5) Deny or withdraw [accreditation from] approval of educational programs for failure to meet or maintain the standards prescribed [standards;] in this chapter;
- (6) [Examine, license, and renew the licenses of] License qualified applicants[;] by examination or endorsement, recognize advanced practice registered nurses, and renew, reinstate, and restore licenses and recognitions;
- (7) Conduct hearings upon request of a denied applicant or 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 incur necessary expenses therefor; [and]
- (10) Keep a record of all its proceedings[.];
- (11) Provide consultation, conduct conferences, forums, studies, and research on nursing education and practice;
- (12) Communicate with national organizations that promote the improvement of the legal standards of practice of nursing for the protection of public health, safety, and welfare;
- (13) Authorize the administration of examinations to eligible applicants for licensure as registered nurses or licensed practical nurses, or other examinations required by the board as designated in its rules;
- (14) Employ, contract, and cooperate, to the extent allowable by law, with any board-approved organization in the preparation and grading of an appropriate nationally uniform examination; provided the board shall retain sole discretion and responsibility for determining the standard of successful completion of such an examination. When such a national examination is used, access to questions and answers shall be restricted by the board; and
- (15) Develop and adopt rules as necessary relating to the practice of nursing in telehealth.”

SECTION 3. 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.

(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 requirement¹ for an [accredited] approved nursing education program are met, the program shall be [accredited] approved as a nursing education program for registered or licensed practical nurses.

(c) The [accreditation] approval 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.

(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] approved nursing education program is not maintaining the standards required by law and by the boards,² notice thereof in writing specifying the discrepancies shall be immediately given to the institution conducting the program. A program that³ fails to correct these conditions to the

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satisfaction of the board within a reasonable time shall be discontinued after a hearing held in conformance with chapter 91.’’

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved April 6, 2000.)

Notes

1. Prior to amendment “requirements” appeared here.
2. Prior to amendment “board” appeared here.
3. Prior to amendment “which” appeared here.