

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- Temporary permit. (a) The board may issue a temporary permit to a practical nurse or registered nurse licensed in another jurisdiction who:

- (1) Completes an application on a form prescribed by the board;
- (2) Pays all applicable fees to the board as prescribed by administrative rules;
- (3) Provides proof of a valid and unencumbered license in another state, territory, or country by way of a license verification from the other state, territory, or country, or Nursys license verification report as prescribed by administrative rules; and
- (4) The board has determined that no disciplinary action has been taken or is pending with a nursing authority.

(b) The board may issue a temporary permit to a nurse who currently holds a multistate license issued by another state, territory, or country; provided that the individual:

- (1) Completes an application on a form prescribed by the board;
- (2) Pays all applicable fees to the board as prescribed by administrative rules;
- (3) Provides proof of a valid and unencumbered multistate license in another state, territory, or country by way of a Nursys license verification report as prescribed by administrative rules. For purposes of this subsection, a “multistate license” means a license to practice as a licensed practical nurse or registered nurse issued by a home state licensing board that authorizes the licensed nurse to practice in all party states under a multistate licensure privilege; and
- (4) The board has determined that no disciplinary action has been taken or is pending with a nursing authority.

(c) A temporary permit shall be issued only to an applicant who has been appointed or accepted employment with a single health care entity in the State listed in section 321-11(10).

(d) A temporary permit shall be issued within ten business days of the date the completed application is received by the board and shall be valid for a period of no longer than six months from the date of issuance.

(e) Beginning July 1, 2025, notwithstanding sections 457-7 and 457-8, an out-of-state registered nurse or licensed practical nurse may apply for a temporary permit based on the requirements of subsections (a) or (b), simultaneously with an application for a license to practice as a registered nurse or licensed practical nurse in the State. Any out-of-state registered nurse or licensed practical nurse applying simultaneously for a temporary permit and license to practice shall be required to submit only one application with a single, non-refundable fee as prescribed by the board. A temporary permit pursuant to this subsection shall be issued within ten business days of the date the completed application is received by the board; provided that all criteria in subsections (a) or (b), and (c) have been met; provided further that the temporary permit issued pursuant to this subsection shall be valid until the time the board approves the individual’s application for a license to practice as a registered nurse or licensed practical nurse but no longer than one year.”

SECTION 2. Section 457-7, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Licenses shall be granted either by:

- (1) Examination: The applicant shall be required to pass a written examination in nursing subjects as determined by the board. Upon the applicant’s passage of the examination and compliance with the applicable requirements of this chapter and the rules of the board, the board shall issue to the applicant a license to practice nursing as a registered nurse; or
- (2) Endorsement: The board may issue a license to practice nursing as a registered nurse by endorsement to an applicant who has been licensed as a registered nurse under the laws of another state, territory, or foreign country if the applicant has an unencumbered license and, in the opinion of the board, the applicant meets the qualifications required of registered nurses in this State at the time of graduation. ~~[Pending verification of a valid, unencumbered license from another state, territory, or foreign country, a temporary permit may be issued for employment with a Hawaii employer.]”~~

SECTION 3. Section 457-8, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

“(b) Licenses shall be granted either by:

- (1) Examination: The applicant shall be required to pass a written examination in nursing subjects as determined by the board. Upon the applicant’s passage of the examination and compliance with the applicable requirements of this chapter and the rules of the board, the board shall issue to the applicant a license to practice nursing as a licensed practical nurse; or
- (2) Endorsement: The board may issue a license to practice nursing as a licensed practical nurse by endorsement to any applicant who has been licensed as a licensed practical nurse, or a person entitled to perform similar services under a different title, under the laws of another state, territory, or foreign country if the applicant has an unencumbered license and, in the opinion of the board, the applicant meets the requirements for licensed practical nurses in this State at the time of graduation. ~~[Pending verification of a valid, unencumbered license from another state, territory, or foreign country, a temporary permit may be issued for employment with a Hawaii employer.]”~~

SECTION 4. Section 457-13, Hawaii Revised Statutes, is amended to read as follows:

“**§457-13 Exceptions.** This chapter does not prohibit:

- (1) The furnishing of nursing assistance in an emergency;
- (2) The practice of nursing that is incidental to the program of study engaged in by students enrolled in nursing education programs accredited by the board;
- ~~[(3) The practice of nursing under a nonrenewable permit by:

 - (A) A graduate of; or
 - (B) An applicant who has provided proof that the applicant has completed the entire educational curriculum required for graduation for a nursing license from;~~

~~a school that is in or under the jurisdiction of the United States, a territory, or a foreign jurisdiction, and whose accreditation is recognized by the board; provided that following completion of subparagraph (A) or (B), the candidate takes the first licensing examination scheduled by any board of nursing recognized by the board and has submitted to the board an application for a license to practice nursing in the State; provided further that the permit shall be valid for three months or until the results of the licensing examination are received by the board;~~

- (4) ~~(3)~~ The practice of any legally qualified nurse of another state who is employed by the United States or any bureau, division, or agency thereof, while in the discharge of the nurse's official duties;
- ~~(5)~~ (4) The practice of nursing in connection with healing by prayer or spiritual means alone in accordance with the tenets and practice of any well recognized church or religious denomination; provided that no person practicing the nursing described in this paragraph claims to practice as a registered nurse or a licensed practical nurse; ~~[or]~~
- ~~(6)~~ ~~(5)~~ The administration of oral and topical medication and in emergency situations, other premeasured medication, by school health assistants as provided in section 302A-853[-]; or
- (6) The practice of nursing by a nurse licensed in another state, territory, or country who is accompanying a patient or patients from out of state for less than two weeks and who is not employed by or affiliated with a health care entity in the State."

SECTION 5. The department of commerce and consumer affairs may adopt interim rules to establish fees for the administration of this Act. All fees collected shall be deposited into the credit of the compliance resolution fund established pursuant to section 26-9(o), Hawaii Revised Statutes. Fees assessed shall be used to carry out the purposes of this Act without regard to chapters 91 or 201M, Hawaii Revised Statutes; provided that:

- (1) The department shall hold at least one public hearing prior to the adoption of interim rules; and
- (2) The interim rules shall be effective for no more than one year after their adoption.

SECTION 6. The department of commerce and consumer affairs may employ necessary personnel without regard to chapter 76, Hawaii Revised Statutes, including one full-time equivalent (1.0 FTE) permanent office assistant, for the purposes of this Act.

SECTION 7. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.¹

SECTION 8. This Act shall take effect on January 1, 2025.

(Approved June 27, 2024.)

Note

1. Edited pursuant to HRS §23G-16.5.