



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Written Testimony Presented Before the
House Committee on Consumer Protection & Commerce
February 18, 2009, 2:00 p.m.

by

Virginia S. Hinshaw, Chancellor
and

Mary G. Boland, DrPH, RN, FAAN
Dean and Professor

School of Nursing and Dental Hygiene
University of Hawai'i at Mānoa

HB 811 HD1 RELATING TO REGISTERED NURSES

Chair Herkes, Vice Chair Wakai, and members of the House Committee on Consumer Protection & Commerce, thank you for this opportunity to provide testimony in opposition to HB 811 HD1 which proposes to remove the professional evaluator requirement for foreign nursing school graduates applying for registered nurse licensure in Hawai'i.

The University of Hawai'i at Mānoa (UHM) School of Nursing and Dental Hygiene (SONDH) is an educational program preparing registered nurses and advanced practice registered nurses in Hawai'i. The UHM nursing program is fully accredited and recognized as an approved educational program by the Hawai'i State Board of Nursing.

It is critical to preserve uniform licensing requirements to ensure consumer safety and nurse mobility within and between Hawai'i. The current system protects the public by ensuring that a foreign nurse applicant's educational requirements are evaluated by a professional educational third-party, the Commission on Graduates of Foreign Nursing Schools (CFGNS) International. CFGNS validates international professional education and credentials in support of regulation and educational standards for health care professionals. They are an immigration-neutral non-profit organization, internationally recognized as an authority on credentials evaluation pertaining to the education, registration and licensure of nurses and other health care professionals worldwide. We support the position of the Hawai'i State Board of Nursing on this measure.

SONDH is committed to supporting a collaborative environment for nursing colleagues at the state, national and international levels. We believe the mechanism utilizing a professional educational evaluator for foreign nursing school graduates facilitates a collegial environment for health care professionals while addressing the first and foremost priority for consumer safety.

Thank you for the opportunity to testify.

**PRESENTATION OF THE
BOARD OF NURSING**

THE HOUSE COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

TWENTY-FIFTH LEGISLATURE
Regular Session of 2009

Wednesday, February 18, 2009
2:00 p.m.

**TESTIMONY ON HOUSE BILL NO. 811, H.D. 1, RELATING TO REGISTERED
NURSES.**

TO THE HONORABLE ROBERT N.HERKES, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Kathy Yokouchi. I am the Executive Officer of the Board of Nursing ("Board"). I appreciate the opportunity to present testimony on behalf of the Board in strong opposition to House Bill No. 811. H.D. 1.

The purpose of this bill is to remove, for an unlicensed foreign nursing school graduate applying for a registered nurse ("RN") license in Hawaii, the requirement to have the RN's educational credentials evaluated by a professional evaluator. It would allow the RN's school to furnish a "breakdown of educational program for international nursing program form" along with a transcript that is in English or is translated into English.

Many years ago, the Legislature, in its wisdom, set forth the nurse licensing requirements of Hawaii which are consistent with forty-one other states and provide the most rational approach for assuring public safety as well as nurse mobility. The Board firmly believes that all international and domestic nurses should be equally qualified to safely practice nursing under the auspices of the laws and regulations of Hawaii. Reducing standards to expedite entry does not adequately protect the public. Increased

consistency in licensure requirements with other state boards is also an appropriate direction for regulation in a rapidly shrinking world.

H.B. No. 811 cites cost as a factor, but does not address consumer safety. The Board, like forty-one other state boards, believes that domestic and international nurses must be held to the same standards of nursing education, training and testing. International nurses should receive comparable nursing education from a government-approved school (current federal requirements); possess effective English skills to safely practice in the U.S. healthcare environment; and have no current or previous disciplinary actions related to their international or domestic licenses.

The Commission on Graduates of Foreign Nursing Schools International¹ (“CGFNS”) is an immigration-neutral, nonprofit organization and is an internationally recognized authority on credentials evaluation pertaining to the education, registration, and licensure of nurses and other healthcare professionals worldwide. CGFNS protects the public by ensuring that nurses and other healthcare professionals educated in

¹ The history of CGFNS International (formerly the Commission on Graduates of Foreign Nursing Schools) begins in the late 1960s when the United States experienced an increase in nurse migration from other countries. Immigration officials had a difficult time identifying who of the nurses educated abroad and applying for nursing occupational visas would be eligible for licensure as a registered nurse in the United States. On average, only 15 to 20% of nurses educated outside the United States were passing the U.S. registered nurse licensure exam on their first attempt.

This led the Division of Nursing of the then Department of Health, Education and Welfare (DHEW) to contract for two studies regarding RN licensure of internationally educated nurses in the United States. The findings of these landmark studies on international nurse migration conducted by the American Nurses Association (ANA) and Pace University were discussed at a 1975 DHEW conference attended by representatives of the American Nurses Association, the National League for Nursing (NLN), U.S. boards of nursing, the American Hospital Association (AHA), the American Medical Association (AMA), the U.S. Department of Labor, the U.S. Immigration and Naturalization Service, the New York State Education Department and the International Council of Nurses, among other organizations. The outgrowth of the conference was the establishment of CGFNS as a private, independent, not-for-profit organization tasked with developing and administering a predictive testing and credentials evaluation program for internationally educated nurses. The organization has expanded to perform credentials evaluations and verifications for other internationally educated health care professionals.

countries other than the United States are eligible and qualified to meet licensure, immigration and other practice requirements in the United States.

The requirement for uniform evaluation is connected to federal immigration laws. Section 343 of the Illegal Immigration Reform and Immigrant Responsibility Act (IIRIRA) of 1996 (P.L. 104-208) requires that all international health professionals, except physicians, must be certified by the Commission on Graduates of Foreign Nursing Schools International (CGFNS) or another independent, government-certified organization qualified to issue credentials. The certification and the course-by-course evaluation process verify that the international health care worker's education, training, or experience meets all applicable statutory and regulatory requirements for entry into the United States. In addition, any international license submitted must be validated as authentic and unencumbered.

Hawaii offers foreign school graduates two options. They can complete the CGFNS certification process which would meet the immigration requirements or they can have their educational credentials evaluated by the CGFNS on a course-by-course basis and take the NCLEX which is another route to meet the immigration requirements (the NCLEX or the CGFNS predictor examination for RNs are one of the requirements for VisaScreen).

H.B. No. 811, H.D. 1 refers to California's use of a document known as "the breakdown of educational program for international nursing programs form". The form is completed by the foreign graduate's school. The evaluation is hardly objective and the nursing programs around the world do not use a uniform standard of measure. California does require that the nurse undergoes a credential review by specialists

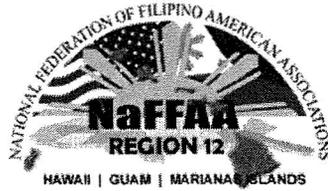
within their agency. (Like most boards, the Hawaii Board does not have the manpower or the expertise to do this.) This means that foreign school graduates must have their transcripts and a course summary statement from their nursing school sent directly to the California Board of Nursing as well as documents verifying their license from the licensing authority in their country. Unfortunately, California will not accept the VisaScreen by the CGFNS or any other credential evaluation. They will review a copy of a credential certificate from another source, but California still must complete its own review of the transcript. Since the immigration law specifically requires the VisaScreen, foreign school graduates applying for licensure in California, must be **credentialed twice**, and have the forms and transcripts sent to both California and the CGFNS. CGFNS will not accept the California Board of Nursing Credential Review. Neither California nor the CGFNS will recognize their respective credential review, leaving the nurse with two sets of fees and the potential for delays when documents are not received. The most common cause for delays in the completion of the credentialing by both agencies is not receiving the required documents from the licensing agency and also from the nursing school in a timely manner.

The Board requests that the Committee do an assessment of the startup costs, the cost for the review specialists, and a legal analysis by the Attorney General's Office of whether the California model meets federal immigration requirements and the liability of the State if we are unable to do timely evaluations because we are unable to retain review specialists and therefore, unable to license these nurses.

In conclusion, the Board believes that preserving uniform licensing requirements ensures consumer safety and nurse mobility in times of crisis and emergencies.

Uniform requirements lessen confusion for patients, nurses, other health team members and third party payers, as well as legislators and policy makers. It is crucial that we avoid simply choosing the least expensive and seemingly easier route.

We respectfully request that this measure be held in Committee. Thank you for this opportunity to testify on H.B. No. 811, H.D. 1.



TESTIMONY IN STRONG SUPPORT OF HB 811 HD 1

House Committee on Consumer Protection and Commerce
Feb. 18, 2009, 2 p.m. | Hawai'i State Legislature | Room 325

To: Honorable Rep. Robert N. Herkes, Chair
Honorable Rep. Glenn Wakai, Vice-Chair
Honorable Committee Members

From: Amy Agbayani, Vice Chair
National Federation of Filipino American Associations Region XII

Measure Title:

RELATING TO REGISTERED NURSES

Report Title:

Registered Nurses; Foreign Graduates; Licensure Requirements

Description:

Removes, for a foreign nursing school graduate applying for licensure by examination for registered nurses in Hawaii, the requirement to obtain certification from the Commission on Graduates of Foreign Nursing Schools. Requires the Board of Nursing to adopt rules requiring submission of the Breakdown of Educational Program for International Nursing Programs form and a certified school transcript. (HB811 HD1)

My name is Amy Agbayani and I strongly support this bill. The intent of this bill is to facilitate, not slow down, the licensing requirements for international nursing school graduates to meet Hawaii's, as well as the nation's, work force shortage of qualified and certified nurses. Most states, including California, have already removed this requirement to meet the growing pressures and demands of health care delivery systems. This bill also recognizes and supports licensing measures to ensure that qualified nurses sit for NCLEX, the nurses board exam that is the litmus test for nursing competency.

As Vice Chair of the National Federation of Filipino American Associations Region XII, which represents the interests of Filipinos in Hawai'i, Guam, and the Commonwealth of Northern Marianas Islands, we support the significant contributions of Filipino nurses in America's health care systems. NaFFAA Region XII is an affiliate of the National NaFFAA. Washington policy-makers, private industry and national advocacy groups recognize NaFFAA as the Voice of Filipinos and Filipino Americans throughout the United States. We are a non-partisan, non-profit national affiliation of more than five hundred Filipino-American institutions and umbrella organizations that span twelve regions throughout the continental United States and U.S. Pacific territories.

Sincerely,

Amy Agbayani, Ph.D., Vice Chair, NaFFAA Region XII

Filipino American Citizens League

Jake Manegdeg, President
P. O. Box 270126 ★ Honolulu, Hawai'i 96827

TESTIMONY IN STRONG SUPPORT OF HB 811 HD 1

House Committee on Consumer Protection and Commerce
Feb. 18, 2009, 2 p.m. | Hawai'i State Legislature | Room 325

To: Honorable Rep. Robert N. Herkes, Chair
Honorable Rep. Glenn Wakai, Vice-Chair
Honorable Committee Members

From: Jake Manegdeg, President, Filipino American Citizens League

Measure Title:

RELATING TO REGISTERED NURSES

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Removes, for a foreign nursing school graduate applying for licensure by examination for registered nurses in Hawaii, the requirement to obtain certification from the Commission on Graduates of Foreign Nursing Schools. Requires the Board of Nursing to adopt rules requiring submission of the Breakdown of Educational Program for International Nursing Programs form and a certified school transcript. (HB811 HD1)

My name is Jake Manegdeg. I am the president of the Filipino American Citizens League. The Filipino American Citizens League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through education, advocacy, and social action.

I submit this testimony to strongly support this bill. Supporting these proposed changes to the nursing certification requirements still upholds standards and credentials that are essential to practice nursing in Hawaii. These changes are also necessary to address Hawaii's serious nursing shortage. Thank you for the chance to provide support for this bill. Your help in its passage is greatly appreciated.

Very Sincerely,

Jake Manegdeg
President
Filipino American Citizens League



OAHU FILIPINO COMMUNITY COUNCIL

P.O. Box 17531 • Honolulu • Hawaii 96817

Unit Organizations

Alliance of Residential
Carehome Administrators
Aloha Saguibsib Cultural
Foundation, Inc.
Annac ti Bado iti Hawaii
Annac ti Batac
Annac ti Caoayan 2002
Annac ti Kailokuan iti
America
Annac ti Sinait iti Hawaii
Asingan Organization of
Hawaii
Badoc-Pinili Aid
Association of Hawaii
Banna Association of
Hawaii
Bannatiran Association of
Hawaii
Batangas Association of
Hawaii
Bulacan Circle of Hawaii
Caballeros de Dimasalang
Cabugao Sons & Daughters
of Hawaii
Candonians of Hawaii
Caoayan ISAH
Cavitenians of Hawaii
Dingras Association of
Hawaii
Divine Word College
Alumni Association
FilAm Sports USA
Fil American Citizens
League
Filipino Business Women's
Club
Filipino Nurses Organization
of Hawaii
Filipino Women's Civic
Club
GUMIL Hawaii
GUMIL Oahu
Hawaii Filipino Women's
Club
Hawaii Council of Bilingual
Educators
ILAH
Ilocos Nortenians of
America
INCAT Alumni Association
of Hawaii
International Filipino
Society of Hawaii
Kalayaan Phil.-Hi. Int.
La Union Circle of
Hawaii
Lingayen Gulf Club of
Hawaii

TESTIMONY IN STRONG SUPPORT OF HB 811 HD 1

House Committee on Consumer Protection and Commerce
Feb. 18, 2009, 2 p.m. | Hawai'i State Legislature | Room 325

Measure Title: RELATING TO REGISTERED NURSES

To: Honorable Rep. Robert N. Herkes, Chair
Honorable Rep. Glenn Wakai, Vice-Chair
Honorable Committee Members

From: Cirvalina Longboy, President
Oahu Filipino Community Council

My name is Cirvalina Longboy, president of the Oahu Filipino Community Council. OFCC is an umbrella organization that represents a network of non-profit civic groups with a unified vision to improve the lives of our Filipino communities. I submit this testimony to strongly support this bill, in order to:

- ***Cut the unnecessary and expensive red tape of the Hawai'i Board of Nurses*** regulations, which now has a 6-month or more log jam that blocks internationally trained registered nurses (RN) to take the NCLEX (National Council Licensure Examination).
- ***Safeguard public safety by ensuring the proper vetting of transcripts and curriculum*** of internationally trained RNs, who are already U.S. citizens or permanent resident immigrants residing in Hawaii.
- ***Follow established best regulatory practices for nursing licensure*** in more than 20 states, including California and Michigan, to enable internationally trained RNs to demonstrate their nursing competencies to protect public health, by passing the NCLEX.

With your help in the passage of this bill, qualified nurses with multi-lingual assets can be of service sooner to meet Hawai'i's nursing work force and pressing public health needs.

Sincerely,

Cirvalina Longboy, President
Oahu Filipino Community Council

Unit Organizations

Magsingal Association of
Hawaii
Narvacan/San Antonio Club of
Hawaii
Nueva Vizcaya Association of
Hawaii
Pasuquinios Association of
Hawaii
Philippine Cultural Foundation
Philippine Nurses
Association of Hawaii
Piddig Association of Hawaii
Sanchez Mira Association of
Hawaii
San Manuel Pangasinan
Association of Hawaii
San Nicolaneos USA
San Nicolas Goodwill
Foundation
San Nicolas Teachers of
Hawaii
Santa Lucia Association of
Hawaii
Sarrat Association of Hawaii
Sarrat International Inc.
Sinait Nt. High School Alumni
of Hawaii
Solsona of Hawaii
Tarlac Mutual Club of Hawaii
TPCP
Kalihi Ballroom, Inc.
Sadiri ti San Nicolas iti Hawaii
Samar Leyte Association of
Hawaii
Sampaguaita/Sunflower Club of
Hawaii
San Juan Association of
Hawaii
San Nicolas Nat. High
Santa Marians of Hawaii
School Alumni
Santa Nicolas Nat. High
School Bingao Annex
Tagalog Association of Oahu
United Bacarreneos of Hawaii
United Group of Home
Operators
United Pangasinan of Hawaii
United Urdaneta Club of
Hawaii
United Vintarinians of Hawaii
Vigan Association of Hawaii



TESTIMONY IN STRONG SUPPORT OF HB 811 HD 1

Senate Committee on Health

Feb. 18, 2009, 2 p.m. | Hawai'i State Legislature | Room 325

To: Honorable Rep. Robert N. Herkes, Chair; and Honorable Rep. Glenn Wakai, Vice-Chair
Honorable Committee Members

From: Charlene Cuaresma, MPH, President, Filipino Coalition For Solidarity

Measure Title: RELATING TO REGISTERED NURSES

Report Title: Registered Nurses; Foreign Graduates; Licensure Requirements

Description: Removes, for a foreign nursing school graduate applying for licensure by examination for registered nurses in Hawaii, the requirement to obtain certification from the Commission on Graduates of Foreign Nursing Schools. Requires the Board of Nursing to adopt rules requiring submission of the Breakdown of Educational Program for International Nursing Programs form and a certified school transcript. (HB811 HD1)

My name is Charlene Cuaresma. As president of the Filipino Coalition for Solidarity, I want to express appreciation to you for hearing this important bill. Since its inception in 1990, the Coalition has represented more than 50 Filipino community leaders, whose aim is to work for social justice issues to empower Filipinos to make socially responsible contributions to Hawai'i and our global neighbors through education, advocacy, and social action.

I am submitting testimony in strong support of this bill.

As U.S. schools of nursing and health care systems across the country are challenged to meet the demands of training and certifying enough nurses to deliver America's health care needs, internationally educated registered nurses have been sought out for decades to fill this gaping void. The purpose of this bill is to streamline the certification program process, while at the same time safeguarding high nursing standards. This bill is modeled after best management practices of reducing red tape and exorbitant certification fees by a simple updating of board of nursing rules that has been increasingly adopted by the majority of states, including California. The resulting certification process not only retains accountability of credentials and professional nursing skills, but also fast tracks qualified nurses into Hawaii's health care labor force.

Respectfully,

Charlene Cuaresma, MPH
President, Filipino Coalition for Solidarity



UNITED FILIPINO COUNCIL OF HAWAII

P.O. BOX 498, Honolulu, Hawaii 96809-0498

TESTIMONY IN STRONG SUPPORT OF HB 811 HD 1

House Committee on Consumer Protection and Commerce

Feb. 18, 2009, 2 p.m. | Hawai'i State Legislature | Room 325

To: Honorable Rep. Robert N. Herkes, Chair
Honorable Rep. Glenn Wakai, Vice-Chair
Honorable Committee Members

From: Eddie Agas, President, United Filipino Council of Hawaii

Measure Title:

RELATING TO REGISTERED NURSES

Report Title:

Registered Nurses; Foreign Graduates; Licensure Requirements

My name is Eddie Agas. I am the president of the United Filipino Council of Hawaii (UFCH). I submit this testimony to strongly support this bill on behalf of UFCH, an umbrella organization with member organizations from six islands. UFCH membership is comprised of nearly 5,000 individual members. This bill is important because it benefits not only members of our Filipino community, but also all of Hawaii's people.

UFCH, like the Hawai'i Board of Nursing and the Hawai'i Nurses Association, supports measures to protect public safety and meet State licensure standards for RNs, but we are deeply concerned that inefficient licensing regulations of the Hawai'i Board of Nursing are unduly limiting access of internationally trained registered nurses to take the NCLEX (National Clinical Licensure Exam) or nursing license board exam.

In all due respects, the Filipino community would like to know what relationship exists between the Hawai'i Board of Nurses and the CGFNS (Commission on Graduates of Foreign Nursing Schools), in order to: 1) understand why an exorbitant fee of \$418 is charged, and 2) why it takes so long to evaluate international RNs' transcripts? More than 20 states, such as California and Michigan, have removed such obstacles, and yet have also accomplished evaluating transcripts to ensure that high medical training standards are met.

We are committed to community collaborations to support the Hawai'i Board of Nursing to have regulations that facilitate, not inhibit, the eligibility criteria and process of foreign-educated RNs to demonstrate their competencies by having greater access to take and pass the NCLEX. Please vote yes to the bill's proposed changes. Thank you for the opportunity to present our testimony.

Respectfully submitted,

Eddie Agas, President, United Filipino Council of Hawaii



Nursing Advocates & Mentors, Inc.

... a non-profit organization with a mission to address the global nursing shortage by providing guidance and assistance for nursing colleagues to obtain their professional license in nursing.

P.O. Box 2034 Aiea, HI 96701
E-mail: bramosrazon@aol.com

*Beatrice Ramos-Razon,
RN, FACDONA
President*

*Tessie Oculito, RN
Vice President*

*D Jun Obaldo, RN, BSN
Corresponding Secretary*

*Au Curameng, RN, CM
Recording Secretary*

*Margie A. Berueda, RN, CM
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*Lynn Barnes, RN, CM
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*Michael G. Berueda, LPL
Computer Support*

*Joe Magno
Technical Support*

Mentors & Volunteers:

Christiaan De Vera, RN, BSN

Erlinda Ferrer, RN, BSN

Estrella Guevarra, RN

Delmar Magno, RN, C

Edel Matias, RN, CM

Cielito Lyn Matias, RN, BSN

Brenda Monegas, RN

Oscar Querido, RN

Lucy Porte, RNC

Violeta Sadural, RN, BSN

Tina Salvador, RN, BSN, CNN

Ramon Sumibcay, CPT, AN

The Board of Nursing pr

TESTIMONY IN STRONG SUPPORT OF HB 811 RELATING TO REGISTERED NURSES

February 18, 2009 2PM

Hawaii State Legislature Conference Room 325

Report Title: Registered Nurses; Foreign Graduates; Licensure Requirements

Description: Removes, for a foreign nursing school graduate applying for a licensure by examination for Registered Nurse in Hawaii, the requirement of obtaining a certification from the Commission on Graduates of Foreign Nursing Schools(CGFNS)

**To: Honorable Rep Robert N. Herkes, Chair
Honorable Rep Glenn Wakai, Vice-Chair
Honorable Committee Members of the Consumer Protection and Commerce**

**From: Beatrice Ramos-Razon, RN, FACDONA
President, Nursing Advocates and Mentors, Inc. (NAMI)**

My name is Beatrice Ramos-Razon. As the Founder and President of NAMI (Nursing Advocates & Mentors, Inc.), we are in strong support of this bill. NAMI's membership is comprised of over 75 volunteer nurses, instructors, allied health care professionals, and Filipino leaders, who are dedicated to improve the health of Hawai'i's people by addressing not only a statewide, but worldwide nursing shortage through the training and mentoring of foreign graduate nurses, many of whom come from underprivileged backgrounds, to pass Hawai'i's nurses board exams.

Before anyone can practice as a Registered Nurse, the practitioner has to pass a board examination for licensure. This National Council Licensure Examination or NCLEX-RN is the first entry level of competence for the Nurse.

The Board of Nursing provides the eligibility for authorization to take the examination. A requirement for a foreign school graduate applying for a licensure by examination in Hawaii is obtaining a certification from the CGFNS-Commission on Graduates of Foreign Nursing Schools. To accomplish the certification, one has to apply for a certification program or Credentials Evaluation Service Report. The certification program is comprised of a credentials review, qualifying exam, English proficiency

examination which costs \$418. The Credentials Evaluation Service Report analyzes the credentials of the applicant and costs \$ 378. The application for license by examination is \$40.

The fee for application for license by examination to California Board of Nursing is \$126. The requirement for a foreign graduate nurse is to send a form to their nursing school asking the school to send a breakdown of the nursing program and transcripts of records directly to the California Board of Nursing for evaluation. There is an additional fee of \$200 by the applicant for an authorization to take the exam payable to either board of nursing.

The additional requirement by the Hawaii Board of Nursing not only delays the application process but incurs additional costs to the consumers. This barrier has resulted to Hawaii residents to apply for licensure to the California Board of Nursing. I am fully aware of this because I am involved with NAMI-Nursing Advocates and Mentors Inc. a volunteer group providing free RN review classes and mentoring potential nurses. Almost all of the foreign graduate reviewees who go through the program for the year, complete the California Board of Nursing Application. When they get their eligibility to take the exam, they may take the national exam here in Hawaii or any state. When they pass the examination, they are issued a California RN license and if they stay and practice in Hawaii, they can obtain a Hawaii license by reciprocity from the Hawaii Board of Nursing.

This bill is to remove the requirement of CGFNS by the Hawaii Board of Nursing and to adopt rules similar to the other 23 states like California who do their own credentialing and evaluation of the nursing program of the applicants. The new rule may apply only to legal residents in Hawaii or American citizens who obtained their education outside USA. The new rule will not apply to nurses applying for a working visa because US immigration requires a VisaScreen certificate from CGFNS. Passage of the bill will likely increase the number of individuals applying to Hawaii Board of Nursing.

The intent of this bill is not to decrease the standards in anyway, but mainly to facilitate the application process of licensure for foreign graduate nurses. We all share in the common vision of the nursing schools, healthcare facilities and nursing organizations: the successful licensure of competent and eligible nurses for consumer safety and public good.

Thank you for the opportunity to support this bill.

Sincerely,

Beatrice Ramos-Razon
RN, FACDONA
President, Nursing Advocates and Mentors, Inc
Executive Director, Philippine Nurses Association Hawaii

THE HOUSE COMMITTEE ON
CONSUMER PROTECTION &
COMMERCE
Wednesday,, February 18, 2009
House conference room 325
2:00 p.m.

**TESTIMONY in OPPOSITION to HOUSE BILL 811 HD1
RELATING TO REGISTERED NURSES.**

TO: THE HONORABLE ROBERT HERKES, CHAIR,
THE HONORABLE GLENN WAKAI, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Amy Stone Murai. I have been an RN for 35 years, and a Nurse Practitioner for 32. I testify as a concerned private citizen in opposition to HB 811 HD 1 Relating To Registered Nurses, which seeks to remove, for unlicensed foreign nursing school graduates applying for a registered nurse ("RN") license in Hawaii, the requirement to have the applicant's educational credentials evaluated by a professional evaluator.

An article about the quality of nursing education in the Philippines, published in the January 28, 2008 edition of the Philippine Star (Manila), exemplifies the importance of meticulous evaluation of a foreign graduate's qualifications.

"In a consolidated interim audit report of the Commission on Higher Education's 2007 operations, the Commission on Audit (COA) has expressed concern over the agency's failure to close down nursing schools whose nursing graduates have consistently performed miserably in the licensure examinations of the Professional Regulation Commission (PRC).... COA auditors said that for the past years, there were 19 schools that did not even have one nursing graduate who passed the board exams.

"From 2001 to 2005, only 111 out of 263 nursing schools nationwide managed to have at least 50 percent of their graduates pass the PRC licensure examinations, with 19 or 7.22 percent of these schools failing to have even a single passer," the COA audit report said.

The Commission on Graduates of Foreign Nursing Schools International ("CGFNS") is the designated evaluation organization for the Hawaii Board of Nursing and for most others across the country. CGFNS protects the public by ensuring that healthcare professionals educated in other countries are eligible and qualified to meet licensure, immigration and other practice requirements in the United States. It uses uniform standards in evaluating programs, credentials and foreign licensure attainment to ensure that applicants arrive with comparable background and reasonable success in achieving licensure in the United States. CGFNS relieves regulatory boards of a critical but onerous and time-consuming task that few state boards are staffed to undertake. I refer committee members the excellent testimony submitted By Kathleen Yokouchi, Executive Officer of the Hawaii Board of Nursing, for further details.

Hawaii's current regulatory requirements allow well-qualified foreign nursing graduates two cost and time-effective pathways to licensure. The current process does not appear to be burdensome to nurses from other parts of the world who seek to practice in Hawaii. The safety and protection of our citizens and visitors must outweigh any urge to value quantity over quality where health care is concerned. Thank you for the opportunity to testify on this important issue.

Amy Stone Murai, RN, MS, APRN-c

Wailua Brandman APRN-Rx BC

Ke'ena Mauiola Nele Paia, LLC

615 Piikoi Street. Suite 1509

Honolulu, HI 96814

February 16, 2009

HOUSE OF REPRESENTATIVES
THE TWENTY-FIFTH LEGISLATURE
REGULAR SESSION OF 2009

COMMITTEE ON CONSUMER PROTECTION AND COMMERCE

DATE: Friday, February 18, 2009

TIME: 2:00 p.m.

PLACE: Conference Room 325

RE: HB811 HD1 RELATING TO REGISTERED NURSES

Aloha and good afternoon, Chair Herkes and Members of the House Committee on Consumer Protection and Commerce. My name is Wailua Brandman. Thank you for the opportunity to present testimony, as an individual, in **strong opposition** to HB 811 HD1. I am an APRN in private practice in Honolulu. My specialty is Adult Psychiatric Mental Health Nursing. I am the President of the Hawai'i Association of Professional Nurses. My other professional responsibilities include being the O'ahu Board Member-at-Large of the American Psychiatric Nurses Association Hawai'i Chapter, and I am a committee member of the APRN Advisory Committee to the Hawai'i Board of Nursing (Board).

I am in agreement with the testimony of Kathleen Yokouchi, Executive Officer of the Board. The current regulation of Foreign Nurses was initiated and continues to serve as a means of consumer protection. While Foreign Nurses are encouraged to practice in Hawai'i, it is necessary to ensure that the standards of their practice here meet the minimum standards of U.S. educated nurses. This is accomplished by requiring that they show equivalent education and safety as well as the ability to communicate with their patients in our national language.

Thank you for your consideration. I strongly urge you to hold this bill in committee.

Wailua Brandman MSN APRN CSNP

Wailua Brandman APRN-Rx BC

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wakai1-Karen

From: Linda Beechinor [L.Beechinor@hawaiiintel.net]
Sent: Monday, February 16, 2009 12:41 PM
To: CPCtestimony
Subject: HB-811-CCPCCmteHearing 2-18

TO: The House of Representatives Committee on Consumer Protection & Commerce
Wednesday, February 18, 2009 at 2:00 p.m.
Conference Room 325, Hawaii State Capital

FROM: Dr. Linda Beechinor, DNP, APRN
Foreign Nurse Recruiter in Hawaii

Re: HB 811, HD 1 Relating to Registered Nurses

Thank you for the opportunity to speak in strong opposition to this bill and in support of the Board of Nursing's testimony. Since I have recruited foreign-educated nurses to Hawaii for over 20 years, I am involved every day in this issue of credentialing these nurses for licensure in Hawaii.

I believe this legislation serves to benefit a few while removing a safeguard that substantially protects the public, and in addition would cost the State of Hawaii a great deal of time and funds to implement. Please let me explain.

Foreign-educated nurses who want to work in the USA must pass NCLEX-RN, to work as a licensed RN anywhere in the USA. To be eligible to sit the NCLEX exam, the candidate must apply to any Board of Nursing in a state or territory, and prove they have graduated from a school of nursing that meets American standards of education for RN's. The purpose of the Commission on Graduates of Foreign Nursing Schools (CGFNS) in this process, is to evaluate those education transcripts from any school in the world that professes to educate professional

nurses, and decide if that education meets American standards. It is not in the interest of the consumers of nursing care in this country to have 51+ bodies doing those evaluations and deciding if documents are authentic, if transcripts are translated accurately, if each course is equivalent to the required American course, etc., etc. CGFNS has the history and the staff who are well educated and skilled in this process, to provide a uniformly fair and accurate evaluation of the candidate's education from anywhere in the world, who want to become licensed in the USA.

H.B. 811 cites the cost of education certification by CGFNS as \$378-\$418. It is expensive because it is thorough and accurate. It is time-consuming and requires a background of expertise to decipher and compare foreign-prepared documents to determine equivalency and validity for the purpose of meeting nursing standards in the USA. I have no doubt that the costs to the state of Hawaii Board of Nursing to replicate this service for a small group of candidates, would be much higher in staff time and education to meet HB 811 requirements.

What alternatives do these residents of Hawaii have then, who are educated in foreign countries as nurses, to become licensed in Hawaii as an RN? I counsel these candidates every day and I know exactly what their options are, none of which by-pass these safeguards for our communities. Currently, if a candidate successfully applies to ANY state board of nursing in the US or its territories for the NCLEX-RN exam, and that state attests to the equivalency of the foreign nursing education to American standards, as well as successful completion of the NCLEX_RN exam, the Board in Hawaii will license them. So I am left asking why is this bill being offered? It will save a small group of foreign-educated nurses several hundred dollars that it costs to safeguard the public. It opens the public to risk, and the state to liability and

costs it currently does not have. It purports to reduce barriers to licensure that simply are not there.

Please join with me in charging the interested parties to become better informed about the rules and requirements, prior to considering any of these changes. I am happy to answer questions at anytime about this issue.

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To: The House of Representative Committee on Consumer Protection & Commerce
Rep. Robert N. Herkes, Chair
Rep. Glenn Wakai, Vice Chair
Wednesday, February 18, 2009 at 2:00pm
Conference Room 329, Hawaii State Capitol

From: Denise Cohen, APRN, MS, BS
Associate Professor of Nursing
Maui Community College

Re: HB 811 Relating to removal for unlicensed foreign school graduate applying for registered nurses license in Hawaii, the requirement for a school transcript to be evaluated. Requires board of nursing to adopt rules requiring submission of the breakdown of educational program for international nursing programs form

My name is Denise Cohen and I have been a nurse-educator in Hawaii since 1992. I appreciate the opportunity to present testimony against HB 811.

The purpose of this bill is to remove, for an unlicensed foreign nursing school graduate applying for a registered nurse (RN) license in Hawaii, the requirement to have the RN's educational credentials evaluated by a professional evaluator. It would allow the RN's school to furnish a "breakdown of educational program for international nursing program form" along with transcript that is in English or is translated into English.

Foreign-educated nurses who want to work in the United States must pass the NCLEX-RN. To be eligible to sit for the NCLEX exam, the candidate must have proof that they have graduated from a school of a school on nursing that meets American standards of education for RNs. The purpose of the Commission on Graduates of Foreign Nursing Schools (CGFNS) is to verify that those education transcripts from any foreign school in the world meets the qualifications that is being asked of graduates from domestic schools. Most if not all approved schools of nursing in United States are accredited by two recognized outside agencies either the National League of Nursing Accreditation Commission (NLNAC) or Commission on Collegiate Nursing Education (CCNE).

US immigration policy does require that foreign educated RNs who wish to come to the United States as an RN must have the following: a job offer in the state they wish to migrate to, a VisaScreen certificate from CGFNS and have passed the NCLEX in the State they wish to practice in. These policies are put in place to protect patients from harm. The VisaScreen certificate attests that the nurse has met the RN candidate's educational requirements and has an unencumbered license. This is similar to what a domestic candidate must do before being granted an RN license in Hawaii. If a candidate has disciplinary proceedings against them from another state Hawaii will not grant them a license. We should hold foreign-educated nurses to the same standards that we hold candidates educated in the United States.

It is clear that for the safety of the consumer, foreign candidates must meet the same standards as domestic candidates from approved school within the United States. Therefore, I respectfully request that this measure be held in committee. Thank for the opportunity to testify on H.B. No. 811