

HB 811 HD 2

**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 HD2)

**PRESENTATION OF THE
BOARD OF NURSING**

TO THE SENATE COMMITTEE ON HEALTH

TWENTY-FIFTH LEGISLATURE
Regular Session of 2009

Monday, March 16, 2009
3:00 p.m.

**TESTIMONY ON HOUSE BILL NO. 811, H.D. 2, RELATING TO REGISTERED
NURSES.**

TO THE HONORABLE DAVID Y. IGE, 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. 2. This Committee heard the companion bill, Senate Bill No. 280 on February 11, 2009, and passed it out with amendments. However, the Senate took no further action on the bill. We respectfully recommend that this measure be held.

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.

Nursing is regulated because it is one of the health professions that pose risk of harm to the public if practiced by someone who is unprepared or incompetent.

Licensing consists of two components: 1) meeting education requirements and 2) an examination requirement. Both are crucial to determining competency. All nurses must first meet nursing education requirements to be eligible for the national examination.

Forty-five state boards and the National Council of State Boards of Nursing which owns the national examination firmly believe that domestic and international nurses must be held to the same standards of nursing education, training and testing. The days of having separate state nursing requirements are gone. In today's world of natural disasters and terrorism, such as 9/11 and Hurricane Katrina, the need for the nation and its territories to have uniform educational and testing standards is even more acute. In a few years, licensing will move towards global mobility that would allow health practitioners to provide aid to allied countries in need, be it the Philippines, England, the U.S. or other.

The Commission on Graduates of Foreign Nursing Schools International ("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 191 countries other than the United States are eligible and qualified to meet licensure, immigration and other practice requirements in the United States. The CGFNS checks each international nurse's history for prior convictions and all foreign licenses must be validated as authentic and unencumbered in every nation that the nurse has been licensed. (The California Board uses an honor system. If a "no" response to questions

on prior convictions and disciplinary actions is indicated on the application, the matter is not pursued.)

House Bill No. 811, H.D. 2 refers to California's "Breakdown of Educational Program for International Nursing Programs Form" ("Breakdown Form"). In contacting the California Board, it was found that it uses "California standards" and not "U.S. Standards". The cost of retaining reviewers ran to approximately a million dollars a year. Still, they are not able to review Ukrainian, Eastern European, most African, and some South American nurses' credentials because they simply do not have the money to hire more reviewers with expertise in these countries' nursing programs. These nurses are reviewed by the CGFNS.

Soon there will be forty-six states that will require the CGFNS review. The remaining four will be the **gateway** where thousands of international nurses whose credentials are not reviewed by the CGFNS will go through these remaining gateway states. New Mexico and Alaska recently relinquished their state reviews for the CGFNS because the numbers of reviews were in the thousands and they simply could not keep up. California does 1,000 reviews a month. If California decides to abandon its reviews, those numbers will go to the remaining three states. This measure would result in Hawaii being one of the gateways and we would not be able to implement such a program.

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 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.

Hawaii offers foreign school graduates two options: 1) those with "green cards" need only to have their educational credentials evaluated by the CGFNS on a course-by-course basis. No English competency or CGFNS examination is required, 2) those without "green cards" are required to complete the CGFNS certification process which would meet the immigration requirements. (The latter includes an English competency exam, CGFNS exam, and education credentials review.)

In conclusion, the Board believes that preserving uniform licensing requirements for education and examination 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. Adopting the California model will be **extremely cost prohibitive and not implementable.**

The Board is in strong opposition to this measure and respectfully requests that this measure be held in Committee. Thank you for this opportunity to testify against House Bill No. 811, H.D. 2.

Healthcare School of Hawaii

98-025 Hekaha St. Suite 4, Bldg. 4

Aiea, Hawaii 96701

808-488-9449

www.healthcareschoolofhawaii.com

LETTER IN SUPPORT OF HB 811

RELATED TO REGISTERED NURSES

DATE: MARCH 16, 2009, 3PM

CONFERENCE ROOM 016

March 15, 2009

To: Honorable Senator David Ige

Chairman, Senate Health Committee

Honorable Senator Josh Green

Vice Chairman, Senate Health Committee

Honorable Committee Members: Senators Roslyn Baker, Will Espero, Clarence Nishihara, and

Fred Hemmings

Dear Sir,

I am a foreign graduate nurse from the Philippines and had worked in USA since 1979. I originally applied for nursing licensure in the State of Illinois, and my credentials was evaluated by the Illinois Board of Nursing. I worked in Illinois for 20 years and moved to Hawaii after. I was never required to apply through CGFNS. I am in total support of removing the requirement of CGFNS for foreign nursing graduates in Hawaii prior to taking the NCLEX exam.

Sincerely,

Marianela Jacob MSN, RN

Training Coordinator

Healthcare School of Hawaii

808-488-9449

hsch@hawaii.rr.com



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

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Ramon Sumibcay, CPT, AN

TESTIMONY IN STRONG SUPPORT OF HB 811 HD 2

Measure Title: RELATING TO REGISTERED NURSES.

Senate Committee on Health

March 16, 2009, 3 p.m. | Hawai'i State Legislature | Room 016

To: Honorable Senator David Y. Ige, Chair
Honorable Senator Josh Green, M.D., Vice Chair
Honorable Members of the Senate Committee on Health

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.

I am pleased to report that I have met with Executive Director Kathy Yokouchi of the Hawaii Board of Nursing on Friday, Feb. 20, 2009. Also present was Hawaii Board of Nursing Board Member and Dean of the University of Hawaii at Manoa School of Nursing and Dental Hygiene Mary Boland. After an additional meeting on March 4, Kathy Yokouchi and I developed the following proposed amendments to the Hawaii Board of Nursing regulations:

1. **Credentials Evaluation Service (CES): Full Education Course-by-Course Report:** Foreign-educated nurses who immigrated to the USA as sponsored family members of US citizens and have acquired family-sponsored "green cards" are only required to have their educational credentials evaluated by doing the CES. No English competency or professional evaluator examination is required.

OR

2. **Certification Program:** For nurses who are not sponsored family members of US citizens and have not acquired family-sponsored green cards, the US

immigration requires that all nurses coming to the US to work as nurses are required to complete the VisaScreen (CGFNS Certification Program). It includes:

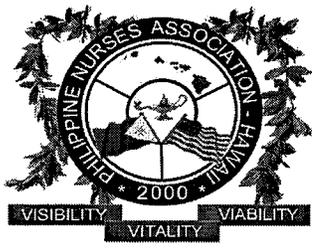
- a) English competency exam
- b) CGFNS exam
- c) Education credentials evaluation.

The intent of this bill is not to decrease the standards in any way, but mainly to facilitate the application process of licensure for foreign graduate nurses. These amendments require no appropriations. We all share in the common vision of the Hawaii Board of Nursing, nursing schools, healthcare facilities and nursing organizations in the successful licensure of eligible and competent nurses for consumer safety and public good.

Thank you for hearing this bill and for the opportunity to provide this testimony in strong support.

Sincerely,

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



The Philippine Nurses Association Hawaii

http://www.pnahawaii.org

E-mail: pna_hawaii@yahoo.com or

president@pnahawaii.org

February 2, 2009

To

Members

of

CGFNS

to ease the

\$126.00

add

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RELATING TO REGISTERED NURSES

DATE: MARCH 16, 2009, 3 PM

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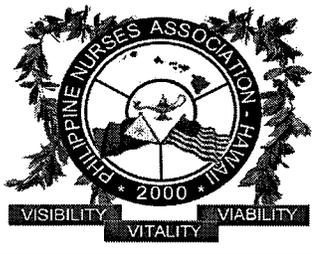
David Ige
Health Committee
Josh Green MD
Senate Health Committee
Committee Members: Senators Roslyn Baker, Will Espero,
, and Fred Hemmings

A Hawaii, a local organization of Filipino-American
organization in Hawaii, and a chapter member of the
Association of America, Inc (PNAA), supports the Hawaii
certification requirements from CGFNS
(States of Foreign Nursing Schools).

mandated foreign nursing schools to send credentials to
thus add toward the lengthy and costly application
fee at \$378.00, or the certificate program fee at \$418.00.
process, these foreign nursing graduates request their
credentials directly to California Board of Nursing at a fee
00.

HB 811 is for the foreign nursing graduates to
nation without incurring expenses that CGFNS
is asking for the Hawaii Board of Nursing to do the
HB 811 will not compromise the security and safety of
its as the opposition has affirmed.

HB 811 entitles only those foreign nursing school graduates
in the United States of America as green card holder or an



February 2, 2009

To

organization of

The Philippine Nurses Association Hawaii

http://www.pnahawaii.org

E-mail: pna_hawaii@yahoo.com or

president@pnahawaii.org

2008-2010

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Parliamentarian*

RELATING TO REGISTERED NURSES

DATE: MARCH 16, 2009, 3PM

1016

David Ige
Health Committee
Josh Green MD
Senate Health Committee
Committee Members: Senator Roslyn Baker, Will Espero,
, and Fred Hemmings

, President of PNA Hawaii. PNA Hawaii is a local
sing and civic organization in support of the
to remove the requirements of obtaining certification
ssion on Graduates of Foreign Nursing Schools).

duate, lacking resources, these eligible nurses will incur
y applying both CGFNS and NCLEX thus will apply
r other states that do not necessitate this requirement.

by the Center for Nursing estimates that in 2006, the
ivalent of 960 registered- nurse positions. That's more
ositions at the state's largest private hospital, the 533-bed
er, according to Sandra Le-Vasseur, nursing center
author of the study. In the next several years, the
n. The center's study projects a shortage of 2,669
ulu Advertiser, 2007).

t is eliminated, eligible foreign nursing applicants who
EX examination can directly apply to the Hawaii Board

not compromise the security and safety of the American/
as the opposition have affirmed. Instead, if approve, this bill
and protection since this bill is asking the Hawaii Board
credentialing. They have the control to deny unqualified
ate applicant.

President, PNA Hawaii



UNITED FILIPINO COUNCIL OF HAWAII

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

TESTIMONY IN STRONG SUPPORT OF HB 811 HD 2

Senate Committee on Health

March 16, 2009, 3 p.m. | Hawai'i State Legislature | Room 016

To: Sen. David Y. Ige, Chair, and Sen. Josh Green, M.D., Vice-Chair
Senate Health Committee Members: Sen. Rosalyn H. Baker,
Sen. Will Espero, Sen. Clarence K. Nishihara, Sen. Fred Hemmings

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 Hawai'i's people. First of all, a correction to the bill's description is needed. Please replace it with: "Removes, for a foreign nursing school graduate applying for licensure by examination for Registered Nurse in Hawaii, the requirement of obtaining a certification from the Commission on Graduates of Foreign Nursing Schools (CGFNS). Requires the board of nursing to adopt rules requiring submission of the Breakdown of Educational Program for International Nursing Programs and Transcript of Records from the nursing school."

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.

We are encouraged by the progress made in recent meetings with the Hawai'i Board of Nurses and nursing community leaders, and remain committed to supporting collaborations with the Hawai'i Board of Nursing for 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

Filipino American Citizens League

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

TESTIMONY IN STRONG SUPPORT OF HB 811 HD 2

Senate Committee on Health

March 16, 2009, 3 p.m. | Hawai'i State Legislature | Room 016

To: Honorable Sen. David Y. Ige, Chair
Honorable Sen. Josh Green, M.D., Vice-Chair
Honorable Senate Health Committee Members: Sen. Rosalyn H. Baker,
Sen. Will Espero, Sen. Clarence K. Nishihara, Sen. Fred Hemmings

From: Jake Manegdeg, President, Filipino American Citizens League

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 HD2)

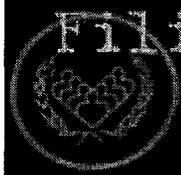
My name is Jake Manegdeg. I am the president of the Filipino American Citizens League. The Filipino American Citizens League was formed over ten years ago to contribute to the advancement of civil rights and social justice for minority groups, underserved populations, and vulnerable communities through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



Filipino Coalition for Solidarity

A HAWAII RIGHTS ADVOCACY GROUP • FOUNDED IN 1990

c/o 728 Nunu St. • Kailua, HI 96734 • <http://www.philippinesonline.org/thecoalition/>

TESTIMONY IN STRONG SUPPORT OF HB 811 HD 2

Senate Committee on Health

March 16, 2009, 3 p.m. | Hawai'i State Legislature | Room 016

To: Honorable Sen. David Y. Ige, Chair, and Honorable Sen. Josh Green, M.D., Vice-Chair
Honorable Senate Health Committee Members:
Sen. Rosalyn H. Baker
Sen. Will Espero,
Sen. Clarence K. Nishihara
Sen. Fred Hemmings

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 HD2)

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.

As U.S. schools of nursing and health care systems across the country are failing 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



Senate Committee on Health

March 16, 2009, 3 p.m.

Hawai'i State Legislature, Room 016

To: Honorable Sen. David Y. Ige, Chair, and Honorable Sen. Josh Green, M.D., Vice-Chair
Honorable Senate Health Committee Members: Sen. Rosalyn H. Baker,
Sen. Will Espero, Sen. Clarence K. Nishihara, Sen. Fred Hemmings

From: Amy Agbayani, Ph.D., Vice Chair, National Federation of Filipino American Associations

Measure Title: RELATING TO REGISTERED NURSES

Report Title: Registered Nurses; Foreign Graduates; Licensure Requirements

Description: Removes, for an unlicensed foreign nursing school graduate applying for a registered nurse 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 Amy Agbayani and I strongly support HB 811 HD 2.

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. We support the ongoing discussions between the Hawai'i Board of Nursing and community nurse leaders.

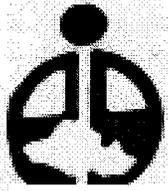
As Vice Chair of the National Federation of Filipino American Associations Region XII, which represents the interests of Filipinos in Hawai'i, Guam, and the Commonwealth of Northern Marianas Islands, we support the significant contributions of Filipino nurses in America's health care systems. NaFFAA 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



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
 Annak ti Kailokuan iti
 America
 Annak 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 Norteniens 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

Senate Committee on Health

March 16, 2009, 3 p.m.

Hawai'i State Legislature, Room 016

To:

Sen. David Y. Ige, Chair, and Sen. Josh Green, M.D., Vice-Chair
 Senate Health Committee Members: Sen. Rosalyn H. Baker, Sen. Will
 Espero, Sen. Clarence K. Nishihara, Sen. Fred Hemmings

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. This bill:

- **Cuts 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).
- **Safeguards 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.
- **Follows 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 can be of
 service sooner to address Hawai'i's nursing shortage.

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
 Pasuquinos 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
 Sampaguita/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

From: Divina Telan Robillard [divina@hawaii.edu]
Sent: Sunday, March 15, 2009 5:49 PM
To: HTHTestimony
Subject: Letter in Strong Support of HB 811

Categories: Green Category, Blue Category

Letter in strong support of HB811 March 16, 3pm Hawaii State Capitol Rm 016

March 15, 2009

Senator David Y. Ige, Chair;
Senator Josh Green MD, Vice Chair; and
Senators Roslyn Baker, Will Espero, Clarence Nishihara and Fred Hemmings,
Committee Members

My name is Divina Telan Robillard. I have been a Registered Nurse since 1977 and in Hawaii, since 1983. I am currently a fulltime caregiver to my husband, Professor Albert Robillard of UH - Manoa who has Lou Gehrig's disease. I am also the founder-facilitator of the MDA ALS Support Group which meets monthly. I am writing in support of HB 811. As a nurse in the community, I see the need to increase the number of nurses who will work in home and community care settings. Removing unnecessary obstacles to nurses who want to apply for licensure in Hawaii will increase the pool from which nurses can be tapped to help families who care for loved ones in the home.

I strongly urge that you pass HB 811 and help those of us who depend on qualified professional nurses for respite as well as care for our loved ones in the home. For further questions, you can reach me at my email: divina@hawaii.edu

Mahalo nui loa,

Divina Telan Robillard, BSN, RN, MPH
244 Akiohala St.
Kailua, HI 96734

Divina Telan Robillard, RN, MPH
Health and Social Research Consultants
Office: 808-956-6754
Home: 808-262-5797

Wailua Brandman APRN-Rx BC
Ke'ena Mauiola Nele Paia, LLC
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March 14, 2009

To: Senator David Ige, Chair
Senator Josh Green MD, Vice Chair
Members of the Senate Committee on Health
Date: Monday, March 16, 2009, 3:00 PM
Conference Room 016
Re: **H.B. 811 HD2 Relating to Nurses**

Aloha and good afternoon, Chair Ige, Vice Chair Green and Members of the Senate Committee on Health. My name is Wailua Brandman. Thank you for the opportunity to present testimony, as an individual, in **opposition** to HB 811 HD2. 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. You have read documents and testimony from numerous nursing leaders in Hawai'i as well as from major professional agencies and State agencies across the country in opposition to this dangerous bill. Please do not jeopardize the care of so many Hawai'i citizens by lowering the standards already in place which protect the patients in the care of foreign-educated nurses in Hawai'i.

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

Warmest Aloha,

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From: matt.bishop5@hawaiiantel.net
Sent: Sunday, March 15, 2009 5:08 PM
To: HTHTestimony
Subject: Hearing for HB811, HD2

Categories: Green Category, Blue Category

Senator Ige,

My name is Matt Bishop; I am an Advanced Practice Registered Nurse living and working in Hawaii as a Certified Registered Nurse Anesthetist. I am writing to provide testimony in OPPOSITION of HB 811, HD2. This is not good for the state and could ultimately lead to nurses entering our state that are not ready to practice as nurses in the United States. The system Hawaii currently uses is being utilized in at least 44 other states across the county to determine the proper credentials for all nurses of foreign educational facilities. We don't need to change just because the state of California adopted a new policy. The state of California is much larger, has a large full-time Board of Nursing, and many other resources we are not afforded in our state. I want to advance the practice of nursing in Hawaii and keep our health care system as safe as possible for all the residents of this great state.

Sincerely,

Matt Bishop, CRNA, President- Hawaii Association of Nurse Anesthetists
94-418 Kapuahi St. # 17
Mililani, HI, 96789
808-203-4515

Nancy Atmospera-Walch, RN, BSN, MPH, NHA, CHES, CCHN. CMC
n.walch@yahoo.com

Testimony in Strong Opposition of HB 811 HD 2

March 16, 2009
3:00 pm, Monday
Hawai'i State Capitol Conference Room 016

Committee on Health

Honorable Senator David Y. Ige, Chair,
Honorable Senator Josh Green, M.D., Vice-Chair
Honorable Senate Health Committee Members:
 Senator Rosalyn H. Baker,
 Senator Will Espero,
 Senator Fred Hemmings
 Senator Clarence K. Nishihara,

HB 811 HD 2 Report Title: Registered Nurses; Foreign Graduates; Licensure Requirements

Description: Removes, for an unlicensed foreign nursing school graduate applying for a registered nurse 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.

Dear Chair David Ige, Vice-Chair Dr. Josh Green, and Members of the Senate Committee on Health:

I am Nancy Atmospera-Walch, a Registered Nurse, a Health Educator, an Entrepreneur, and an Administrator for over 30 years and the president-elect of the Filipino Nurses Organization of Hawaii (FNOH). Thank you for giving me the opportunity to testify.

I am a Filipino and a nurse, and you must all be wondering why I am in opposition of this Bill. Actually, during the first hearing, I supported the bill because I did not have the chance to do my research about the real purpose of the Bill and its implications in the Nursing Profession, Public Safety and Financial. Now, that I have done my research, I am in strong opposition for many reasons.

As a NURSE:

I see it very clearly that the integrity of my NURSING PROFESSION is being COMPROMISED. I look at this Bill and it is being supported almost a 100% by Filipinos, but Filipinos are not the only foreign graduates who will be applying to take the RN Board. As a Nurse, I have to look at it from the wide angle of the camera, meaning, the long-term implications of this bill from every angle and I see many negative effects.

The Hawaii Board of Nursing is a state agency entrusted to protect the safety of the public. In order to do it right, the Board must be given the resources. With this economy, I do not believe that you, the Legislators

will be giving the necessary funds to the board to do this job correctly. And this is where I see, the Nursing Profession being compromised because there will be an increased in applicants and the Board with not enough resources to do a proper evaluation, there is now great chance that some unqualified people whose documents were not properly checked will now be taking the RN Board.

This Bill is also suggesting that a certified document submitted directly to the Board. During this age of technology, fraudulent documents are very possible. I just graduated from high school when I came here and I hand carried my "Certified High School Transcript" to the Admission Office of the University of Hawaii. And you know what they told me, "We do not accept hand carried documents even if they are certified. You must write to your school and they must send to us your transcripts directly." I asked them why, and the woman told me straight to my face, "you could have just paid someone to certify a document but they are not really yours and we do not have the time and resources to be checking the authenticity of your documents." And this is the biggest problem that I see for the Board since you have to be trained to evaluate the authenticity of any documents. Even if the Board will have the money, where will they find qualified evaluators? You read the papers, you listen to public radio, you watch the television and there is not one sitting moment that you do not hear a case about fraud.

So, I ask, why do we even want to give the slightest chance that the State of Hawaii might be subjected to this?

In the Philippines, if a nurse wants to take the US N-CLEX exam, she/he can do it right in the Philippines. So, if a Graduate Nurse knows that she will be coming to the United States, then she/he should be taking the US N-CLEX exam in the Philippines before she/he comes.

As a PATIENT ADVOCATE:

I see the great possibility that the SAFETY of the PUBLIC is ENDANGERED. I read the testimonies of the individuals who are for this Bill and many of them are citing CALIFORNIA to be the state that Hawaii should follow. I am appalled that they even say this, when California is only one of the four States that has similar systems. California, whose Governor, wanted to eliminate the Nursing Board because he saw it as a bureaucracy. Yes, that is California, the state that they are recommending that we should follow. Out of the fifty states of the United States, 44 of them use the same system that Hawaii uses to verify the documents of applicants to ensure that they are qualified to take the Nursing Board and this 44 will soon become 45.

If you call the Board of Nursing of the states like Alaska and New Mexico, who just changed their system which was similar to California to the system that Hawaii uses, you will hear them saying the same reasons that we are saying to you, to protect Public Safety and more.

So, my question is why is it that Hawaii wants to go backward instead of applauding ourselves that Hawaii was and is a Leader in promoting Health Care Excellence for its people.

As a TAX PAYER:

With the Bill being proposed, the people in the STATE of Hawaii who are taxpayers will end up paying the expenses for this process. The FEE that the supporters of this Bill are mentioning that Hawaii is losing is not

enough to pay the time that the Board will spend in reviewing the documents. Tax Payers dollars should not be used pay the expenses of people who wants to be in a certain profession.

Finding A Long Term Solution to the Problem Being Cited:

I highly recommend that we should spend our time to finding long-term solution as opposed to short term. We should be looking at International Accreditation of Foreign Nursing Schools. Just imagine that all of you are nurses and you all graduated from the same school. Now, you all want to come to the United States and work as a nurse. Each of your documents will be evaluated to ensure that you have taken the right course and passed it. Wouldn't it make more sense that the evaluator look at your school and check it against a list of Accredited school?

In the United States, including Hawaii, all professionals who are required to be licensed must prove their qualifications FIRST before they can take the exam. For the graduate nurses, they must meet those qualifications before they can take the N-CLEX exam. To validate their qualifications, the graduate nurse must make a request from her/his nursing school to have his/her transcript of records to be sent directly to the Hawaii Board of Nursing.

The Board of Nursing reviews the transcript for its completeness and validity. The VERY BIG difference is every Nursing School in the United States is ACREDITED and goes through an accreditation process either by the:

- a. Commission on Collegiate Nursing Education (CCNE)
- b. National League for Nursing Accrediting Commission (NLNAC)

This accreditation is very rigorous and it takes NOT a DAY, but about a WEEK. The accrediting bodies review every aspect of the Nursing school – from program curriculum, Professors' qualifications, admission criteria, graduates vs. non-graduates, percentage of students passing the RN board the first time, number of students taking the board more than once, drop out, etc. The schools are then re-accredited every so many years.

In the case of Foreign Nursing Schools, they can be accredited through an International Accreditation and that is where we should spend our energy, looking at the process of International Accreditation for Foreign School. Not every foreign school will be accredited; just like the banks, not every bank can send or receive foreign money, the bank must have an International license to do it.

If we have International Accreditation, Nursing can truly become global and if there is a disaster, we can now mobilize nurses from one corner of world to the other corner, and nursing shortage will be a history.

Thank you!

To: The Senate Committee on Health
Rep. David Y. Ige, Chair
Rep. Josh Green, Vice Chair
Monday March 16, 2009
Conference Room 016, Hawaii State Capitol
415 South Beretania Street
Honolulu, HI

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). In addition any candidate who has an encumbered license goes into a national data base that the BON has access to, therefore making it easier to determine the candidates eligibility in holding an Hawaii license.

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.

The bill being put forth does not seem to recognize that Hawaii will have to deal with applicants from Africa, Eastern Europe, India, Mexico and South America. We do not have the resources to evaluate schools from over 190 countries. While I think it is commendable that the Filipino coalition are trying to save money for nurses wanting to practice in this country they don't realize that the wait for a small board of nursing to clear them may be a year or longer. California is back logged due to severe downsizing of government and lack of resources. It is telling that Alaska and New Mexico are stopping their in house evaluation of foreign nurse education by recognizing their lack of expertise. It is also telling that New Mexico saw an increase of fraudulent schools of nursing in foreign countries and felt that is was unsafe to continue in house evaluation. For these reasons it is clear there is a safety issue that is not being addressed in the current bill as it is being passed. Therefore, I respectfully request that this measure be held in committee. Thank for the opportunity to testify on H.B. No. 811

THE SENATE COMMITTEE ON HEALTH
Monday, March 16, 2009
Conference Room 016
3:00 PM

**TESTIMONY In OPPOSITION to HOUSE BILL NO. 811 HD2
RELATING TO REGISTERED NURSES.**

TO: THE HONORABLE DAVID Y. IGE, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Amy Stone Murai. I have been an RN for 35 years, licensed in Hawaii for 20 years. I testify as a concerned professional in opposition to House Bill No. 811 HD2 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 was 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 45 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.

Hawaii's current regulatory requirements allow well-qualified foreign nursing graduates two cost and time-effective pathways to licensure. CGFNS relieves regulatory boards of a critical but onerous and time-consuming task - assuring that the background of foreign trained nurses is comparable to those educated in nationally accredited U.S. nursing programs. You have heard testimony that the cost of the current requirements is burdensome to applicants and that passage of this bill will expedite licensure. In fact, passage of HB 811 HD2 would have the opposite effect:

- raising foreign applicant cost due to the need to hire experts and adequate supporting staff for international credentials review, and
- increasing time to licensure due to the limited number of qualified reviewers and staff who could be employed under current economic conditions

I refer committee members the excellent testimonies submitted by Kathleen Yokouchi, Executive Officer of the Hawaii Board of Nursing, for further details. The safety and protection of our citizens and visitors must outweigh any urge to value quantity over quality where nursing care is concerned. Thank you for the opportunity to again testify in opposition to this bill.

Amy Stone Murai, RN, MS, WHNP-BC