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# A BILL FOR AN ACT

RELATING TO CONTINUING EDUCATION FOR NURSES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. The legislature finds that many professions  
2 licensed in the state, including physicians, optometrists, and  
3 real estate salespersons, require the completion of continuing  
4 education courses as a pre-requisite to license renewal.  
5 Consequently, the legislature recognizes that in order to  
6 maintain the highest level of competency of nurses practicing in  
7 the state, it is necessary to include a continuing education  
8 component to nurse licensure requirements as well.

9       SECTION 2. Section 457-9, Hawaii Revised Statutes, is  
10 amended to read as follows:

11       "**§457-9 Renewal of license; denial, suspension, or**  
12 **revocation of license for default of student loan, student loan**  
13 **repayment contract, or scholarship contract; inactivation and**  
14 **reactivation of license; restoration of forfeited license. (a)**

15 The license of every person licensed for, recognized as having,  
16 or granted prescriptive authority shall expire on June 30 of  
17 every odd-numbered year and shall be renewed biennially, except  
18 as provided in this section. Biennially in each odd-numbered



1 year, the board shall make available an application for renewal  
2 of license before the deadline set forth by the board to every  
3 person to whom a license was issued or renewed during the  
4 biennium. The applicant shall complete the application and  
5 submit it to the board with a renewal fee and all required  
6 documents on or before the deadline set by the board. The  
7 applicant shall provide documents from proper agencies or  
8 parties of any criminal conviction or any disciplinary action  
9 taken or pending in this State or any other state in the United  
10 States or any territory or possession under the jurisdiction of  
11 the United States within the two years prior to [application]  
12 applying for renewal of license. Upon receipt of the  
13 application and fee, the board shall verify the accuracy of the  
14 application and issue to the applicant a certificate of renewal  
15 for the biennium expiring two years hence on the deadline set by  
16 the board. The renewal shall render the holder thereof a legal  
17 practitioner of nursing for the period stated on the renewal  
18 form.

19 (b) The applicant shall also provide the board with proof  
20 of having attended fifteen hours of continuing education, or its  
21 equivalent as determined by the board, during the two-year  
22 period prior to applying for renewal. Failure to satisfy the



1 continuing education requirement by the license expiration date  
2 shall result in the license being automatically placed on  
3 inactive status. The board shall have the authority to grant an  
4 extension for the continuing education requirement upon a  
5 showing of good cause.

6       ~~[(b)]~~ (c) Any licensee who fails to renew a license as  
7 provided in ~~[subsection]~~ subsections (a) and (b) but continues  
8 to practice shall be considered an illegal practitioner and  
9 shall be subject to the penalties provided for violations of  
10 this chapter. The failure to timely renew a license, the  
11 failure to pay all applicable fees, the dishonoring of any check  
12 upon first deposit, or the failure to comply with any other  
13 requirement provided by law shall cause the license to be  
14 automatically forfeited; provided that the person's license may  
15 be restored by the board within two years after the date of  
16 forfeiture upon compliance with the licensing renewal fees,  
17 penalty fees, and compliance resolution fund fees.

18       A nurse who does not intend to practice nursing in the  
19 State and elects to be placed on inactive status shall so  
20 indicate in writing during the license renewal period or by so  
21 indicating on the license renewal application, and paying  
22 inactivation and all appropriate fees. Should the nurse wish to



1 resume nursing at some future time, the nurse shall notify the  
2 board in writing and remit the reactivation and renewal fees and  
3 application form as provided in subsection (a). A nurse who has  
4 not actively practiced in this State or any other state in the  
5 United States or any territory or possession under the  
6 jurisdiction of the United States for more than five years may  
7 be required by the board to submit proof of continued competency  
8 by retaking and passing the licensing examination or  
9 successfully completing appropriate continuing education  
10 recognized by the board.

11 ~~[(e)]~~ (d) Notwithstanding any provision in this chapter to  
12 the contrary, the board shall not renew or reinstate, or shall  
13 deny, suspend, or revoke, any license or application if the  
14 board has received certification from an administering entity  
15 pursuant to chapter 436C that the licensee or applicant is in  
16 default or breach of any obligation under any student loan,  
17 student loan repayment contract, or scholarship contract that  
18 financed the licensee's or applicant's education, or has failed  
19 to comply with a repayment plan.

20 The board, in receipt of a certification pursuant to  
21 chapter 436C, as applicable, and without further review or  
22 hearing, shall:



1 (1) Suspend the license;

2 (2) Deny the application or request for renewal of the  
3 license; or

4 (3) Deny the request for reinstatement of the license,  
5 and unless otherwise provided by law, shall renew, reinstate, or  
6 grant the license only upon receipt of an authorization from the  
7 administering entity."

8 SECTION 3. Notwithstanding the continuing education  
9 requirement in section 457-9(b), Hawaii Revised Statutes, any  
10 licensee under section 457-9, Hawaii Revised Statutes, whose  
11 license must be renewed on or before June 30, 2011, shall have  
12 until December 31, 2011, to comply with the continuing education  
13 requirements of section 457-9(b), Hawaii Revised Statutes;  
14 provided that the state board of nursing may grant an extension  
15 upon a showing of good cause. The licensee's license shall  
16 remain valid during such time; provided that all other renewal  
17 requirements have been satisfied.

18 SECTION 4. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20 SECTION 5. This Act shall take effect on June 30, 2013.



**Report Title:**

Nurses; Continuing Education

**Description:**

Requires nurses licensed in the state to complete 15 hours of continuing education during each two-year license period as a requirement for license renewal. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

