STAND. COM. REP. NO. 1098 -10

Honolulu, Hawaii March 31, 2010

RE: S.B. No. 2898 S.D. 1 H.D. 1

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2010 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2898, S.D. 1, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO DIVERSION PROGRAM FOR CHEMICALLY DEPENDANT NURSES,"

begs leave to report as follows:

The purpose of this bill is to better serve the public health, safety, and welfare by updating and improving the Diversion Program for Chemically Dependent Nurses (Program). This bill:

- Authorizes the Board of Nursing (BON) to allow other entities besides a professional association to administer and monitor the Program;
- (2) Expands the function of the Program;
- (3) Allows disciplinary action to be taken against a nurse who is noncompliant with the Program;
- (4) Updates the reporting provisions; and
- (5) Provides that all records of a nurse participating in the Program not required by law to be reported shall be excluded from discovery or subpoena except by a law enforcement agency investigating the conduct of the



nurse, BON, or the Regulated Industries Complaints Office (RICO).

The University of Hawaii, BON, Hawaii Government Employees Association, AFSCME Local 125, AFL-CIO, and several concerned individuals testified in support of this measure. RICO offered comments.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2898, S.D. 1, H.D. 1, and recommends that it pass Third Reading.

> Respectfully submitted on behalf of the members of the Committee on Consumer Protection & Commerce,

ROBERT N. HERKES, Chair



HSCR 1098.10

State of Hawaii House of Representatives The Twenty-fifth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.:		e Referral:	Date	~	
SB 2898, SD1, HD1 HLT, CPC 3. 24. 2010					
The committee is reconsidering its previous decision on the measure.					
The recommendation is to:Image: Pass, unamended (as is)Image: Pass, with amendments (HD)Image: HoldImage: Description of the pass short form bill with HD to recommit for future public hearing (recommit)					
CPC Memb	ers	Ayes	Ayes (WR)	Nays	Excused
1. HERKES, Robert N. (C		2			
2. WAKAI, Glenn (VC)		×			
3. BELATTI, Della Au					1
4. CABANILLA, Rida					
5. CARROLL, Mele		3			
6. ITO, Ken				「21」にあるに言いていたがの名称の(名)2222222211110000-25×20-25	- NETHERSPECTATION - 1 H
7. KARAMATSU, Jon Rik	đ				
8. LUKE, Sylvia				MERCHARTER MARLES, 1957	
9. McKELVEY, Angus L.					
10. MIZUNO, John M. 11. MORITA, Hermina M.					A.
11. MORITA, Hermina W. 12. SOUKI, Joseph M.		*			
13. TSUJI, Clift					
14. MARUMOTO, Barbara	1 3 13 13 13 13 13 13 13 13 13 13 13 13	L K			
15. THIELEN, Cynthia					
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TOTAL (15)		12			3
The recommendation is:	Adopted	Not Adopted			
If joint referral, did not support recommendation.					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					