

LATE TESTIMONY

TO: The Committee on Consumer Protection and Commerce (Rep. Robert Herkes, Chair, Rep. Glenn Wakai, Vice-Chair, and Members

FROM: Ramon A. Sumibcay, RN, BSN and Teresita Oculito, RN

SUBJ: **HB 811**

Description

Removes, for a foreign nursing school graduate applying for licensure in Hawaii, the requirement of obtaining a certification from the Commission on Graduates of Foreign Service (CGFNS). Requires the Board of Nursing to adopt rules requiring submission of the breakdown of breakdown of Educational Program for International Nursing Programs and Transcript of Records from the nursing school.

We are writing your Committee to show our strongest support for **HB 811** for the following reasons:

Evidently, the Bill is just simply asking for the removal of the CGFNS certification requirement. In the healthcare industry, the primary consumer is the patient. There are adequate laws, acts, policies and standards to ensure that patient's safety is well-protected in any healthcare setting. In this particular bill, the applicant who is a State of Hawaii resident, is the consumer. The legislature should also provide equal protection for this consumer. If an applicant has to seek for licensure to another state due to Hawaii's exorbitant fee, obviously that applicant/consumer is not being protected and treated fairly and equally in hi/her own home state.

The Bill does not and will not lower nursing practice standards. In the process, Board of Nursing is still required by this Bill to adopt rules to make sure that safe patient care will not be compromised and nursing practice standards are up to standards. Regardless of the foreign nurse graduate country of origin, this Bill does not deal with English proficiency. There are no studies to provide proof that patient care has been inadequate due to lack of communication skills of any foreign graduate nurse. The national nursing licensure examination, NCLEX, has been expertly written in the English language at the level of nursing school graduate in the United States. Logically, any foreign nurse graduate who can pass NCLEX must possess that level of English proficiency.

Thank you for considering this testimony for the passing of the above bill.

Sincerely,

Teresita Oculito Ramon Sumibcay

Sharon Sagayadoro

LATE TESTIMONY

From: Divina Telan Robillard [divina@hawaii.edu]
Sent: Tuesday, February 17, 2009 6:21 PM
To: CPCtestimony
Subject: Letter in Strong Support of HB 811, Relating to Registered Nurses

Letter in strong support of HB 811
Relating to Registered Nurses

February 17, 2009

Honorable Rep Robert Herkes, Chair
Honorable Glenn Wakai, Vice-Chair, and
Honorable Committee Members,
Consumer Protection and Commerce

My name is Divina Telan Robillard. I have been a Registered Nurse in Hawaii since 1977. 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

Mahola nui loa,

Divina Telan Robillard, BSN, RN, MPH

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Nancy Atmospera-Walch, RN, BSN, MPH, CHES, LNHA, CCHN, CMC
walchnancy@yahoo.com

Testimony in Strong Opposition of HB 811 HD1

February 18, 2009
2:00 pm, Wednesday
House Conference Room 325

Committee on Consumer Protection & Commerce Committee

Honorable Representative Robert N. Herkes, Chair,
Honorable Glenn Wakai, Vice-Chair

Honorable Senate Health Committee Members:

Representative Della Au Belatti,
Representative Rida Cabanilla,
Representative Mele Carroll,
Representative Ken Ito,
Representative Jon Riki Karamatsu
Representative Sylvia Luke
Representative Angus L. K. McKelvey
Representative John M. Mizuno
Representative Hermina M. Morita
Representative Joseph M. Souki
Representative Clift Tsuji
Representative Barbara C. Marumoto
Representative Cynthia Thielen

LATE TESTIMONY

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)

Dear Honorable Representative Robert N. Herkes, Chair,
Honorable Glenn Wakai, Vice-Chair and Honorable Senate Health Committee Members:

I am Nancy Atmospera-Walch, a Registered Nurse, a Health Educator, an Entrepreneur, and an Administrator has worked over 30 years in variable settings. I am also the current president-elect of
Testimony in Strong Opposition of HB 811 HD 1 – February 18, 2009

the Filipino Nurses Organization of Hawaii or simply known as FNOH and the current Treasurer and Founding Board Member of the Health Care Education Association, an international association of Healthcare Educators and connecting staff, patient and community healthcare educators worldwide.

FNOH is the oldest organization of Filipino Nurses in Hawaii, and possibly the nation. Filipino Nurses Club of Hawaii was founded in 1931, reorganized, and renamed to FNOH in 1973 by Mrs. Ines Cayaban. FNOH membership is comprised of over 500 nurses and allied health care professionals with very diverse backgrounds.

Since FNOH's inception, it has been helping Foreign Graduate Nurses by coordinating FREE NCLEX RN Review Classes. At first, these classes were just offered to immigrant FNOH believes that having a comprehensive review class would increase the chance of the foreign nursing graduates to pass the RN-NCLEX exam.

Therefore, FNOH collaborated with Kapiolani Community College in offering the RN -NCLKEX Review Class that now include a clinical component as well as a practice RN- NCLEX exam, in order to help and give the Foreign graduate nurses the best opportunity to pass the RN-NCLEX exam.

As you can see, FNOH has been supporting foreign graduate nurses from the very beginning. However, we are in STRONG OPOSSITION of HB 811 HD1, because I strongly feel that it compromises the integrity of the nursing profession.

On February 2009, I sent my testimony in support of HB 811 based on the information I received the night before the hearing. However, I found out later that what was told to me such as foreign graduate nurses being required to take a qualifying exam and English proficiency exam in addition to the evaluation of training are not true. Therefore, I corrected myself during the hearing that I opposed HB 811.

The proposed HB 811 HD1 is misleading. It states that the international certification program is comprised of three parts:

- ❖ a credentials review,
- ❖ the international qualifying examination,
- ❖ and an English proficiency examination.

This is true, but it failed to state that in Hawaii, any foreign graduate nurse is NOT required to take the International Qualifying Examination since the 1990s and the English Proficiency Examination since mid 70s.

The HB 811 HD1 also states that Hawaii Administrative Rules, requires that a school transcript of a foreign nursing school graduate applying for a license by examination be evaluated by a professional educational credential evaluator recognized by the board and the applicant must arrange to have the evaluator send a report directly to the board. The Commission on Graduates of Foreign Nursing Schools fulfills this credential evaluation function by either issuing a certification through its international certification program or by issuing a full education course-by-course report.

The above statements are true but these requirements are no different of what are required from US graduate nurses. 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 ACCREDITED 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, who is doing the school's accreditation? How do the Hawaii Board of Nursing know which school is qualified or accredited and NOT to mention, how do they make the decision as to which school meets the US School of Nursing Standards?

Many of us who are in the healthcare profession know that many of these foreign schools are questionable as to their credibility. There are schools that the passing rate of their graduates of their own Board Exam is only 50% and there are even schools that have a passing rate of less than 50%. In fact, the University of Hawaii Kapiolani Community College or known as KCC was in the processes of establishing a relationship with one Nursing School in the Philippines. However, when they visited the school in the Philippines, they discovered that the Nursing Standard of the school in the Philippines did not meet the requirements of KCC and the project was discontinued. The requirement of KCC is ONLY for Associate Degree Nursing and this particular school did not even meet those requirements when in fact their curriculum is for Bachelor of Nursing Degree.

Therefore, sending a copy of the Nurse transcript to the Hawaii Board of Nursing and just checking it against a list of classes with NO Standard to follow is NOT a PROOF of Qualifications. How do we even validate that the transcript was sent to the Board of Nursing directly from the school? In addition, school courses are different in contents; i.e.; Nursing 350 in one school is not the same as in the other school. It is just like when we transfer from one University to another, not ALL of our credits are transferable. There are times when we have to repeat a course even though we have already taken it before, just because the standards of the two schools are different.

Believe me; I can understand where the foreign graduates are coming from. I worked with many of them, but the nurses that I worked with passed the RN Board with even a more stringent requirement than what the Board of Nursing is requiring now. I felt proud for them but they even felt prouder for they know, they passed their RN Board because they are truly qualified to take the exam.

Therefore, I beg you that we should NOT approve and expedite a process just for the sake of the few. We use NURSING SHORTAGE as an excuse, but as a nurse, JUST to HAVE ANOTHER BODY working with you is NOT a HELP. If that nurse is not competent, it is a liability.

I am sure that you all know that right now, in Hawaii, there is no shortage of nurses. There is a shortage of job. Our own local graduates are going to the mainland trying to find a job.

We must remember that as nurses and public servants, our number one duty is public safety. That starts by ensuring that every nurse that takes the RN – NCLEX exam is qualified. We require that from US graduate Nurses, and therefore we must require the same from Foreign Graduate nurses. They should NOT be different.

We also must remember that NOT every degree or profession requires an exam before starting to work. However, for professions where it involves the protection of PUBLIC SAFETY, a basic competency exam is required – Lawyers, Doctors, Pharmacists, Nurses, Dentists, Dietitians, etc. In fact, foreign graduate doctors including those that have practiced for years in their own country cannot take the US Medical Board, until they have been accepted by a US Medical School and they have gone through a hospital internship program before they are allowed to take the Medical Board exam.

Therefore, I am asking all of you to support the position of the the Board of Nursing to hold HB 811 HD1 in Committee in order to:

- ❖ Allow all the stakeholders to sit down together and create a bill that pass the qualification standards, and find solutions on how to improve the process of education and training document evaluation for foreign graduate nurses,
- ❖ Give us a chance to truly evaluate the ramification and implication to the nursing profession and nursing care of patients if the bill is passed as it is now.
- ❖ Provide us the opportunity to look at strategies that we might be able to use globally, so that nurses can work in any place provided they have met the international standards of nursing practice.

As the saying goes, Haste Makes Waste. Let us Not Haste on this matter for the benefit of a few and a very BIG possibility of Waste/Danger of many.

I thank you all for giving me the opportunity to testify today. Mahalo and Salamat!

Respectfully submitted,

Electronically signed

Nancy Atmospera-Walch, RN, BSN, MPH, CHES, LNHA, CCHN, CMC

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LATE TESTIMONY

LETTER IN SUPPORT OF HB 811
RELATED TO REGISTERED NURSES

DATE: FEBRUARY 18, 2009, 2PM

CONFERENCE ROOM 325

February 17, 2009

To: Honorable Representative Robert Herkes
Chairman, Committee on Consumer Protection and Commerce
Honorable Representative Glenn Wakai
Vice Chairman, Committee on Consumer Protection and Commerce
Honorable Committee Members

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

LETTER IN SUPPORT FOR HB 811

February 18, 2009

LATE TESTIMONY

HB811

Report Title:

Related to Registered Nurses

Description:

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 Transcripts of Records from the nursing school.

**TO THE HONORABLE REP ROBERT HERKES, CHAIR
THE HONORABLE GLENN WAKAI, VICE CHAIR,
AND HONORABLE COMMITTEE MEMBERS, CONSUMER PROTECTION
AND COMMERCE:**

My name is Aurora A. Curameng. I am a Philippine schooled nursing graduate and a Registered Nurse in the State of Hawaii, since 1993.

I am quite appalled by how intricate application for NCLEX eligibility has become in our State. During my time, before the advent of computerized adaptive testing (CAT) format utilized in NCLEX, international nurses like myself need only to obtain a certificate of equivalent nursing education from an accredited credentialing education service agency by the Board prior to taking the test.

Contrary to what others believe, HB 811 does not reduce the standards to determine if a foreign nursing graduate qualify to take the NCLEX. Submission of the breakdown of educational program for international nursing programs and transcript of records, helps in the determination whether a candidate has an educational background comparable or at par with the American standards of education in nursing, and should qualify the candidate to take the examination in the same way as an American counterpart. I strongly believe in equal opportunity for both domestic and international nurses and they must be held in the same standard no matter what.

HB 811 is also trying to address a complaint of exorbitant fees imposed by the private sector and non-profit organization to international nurses, which for many years "have fallen into deaf ears." Our foreign nursing graduates would rather take a circuitous route to their dream of obtaining a license to practice nursing in their home State to save some precious and hard earned monies without circumventing the standard of eligibility to take the examination. Consumer safety is in no way compromised at this juncture. The bill is actually consumer (candidate) friendly.

The knowledge, skills and abilities essential to the safe and effective practice of nursing at the entry level is what the NCLEX-RN supposed to harness from each candidate. This is to ensure public protection and safety. Likewise, the test is given in English only format to make sure that passers demonstrate proficiency in both clinical and English communication skills. But this is not the purpose of the bill. The bill is to expedite the process of evaluating potential candidates for the NCLEX and upholding the same standard of licensing requirements.

As a nurse of foreign origin, I am extending full support of this bill to encourage more unlicensed foreign nursing graduates, **who are eligible**, to work towards the fulfillment of their aspiration of becoming a Registered Nurse in the land of opportunity.

Respectfully,

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