
A BILL FOR AN ACT

RELATING TO HEALTH.

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

1 SECTION 1. Chapter 457, Hawaii Revised Statutes, is
2 amended by adding a new section to be appropriately designated
3 and to read as follows:

4 "§457- Advanced practice registered nurses; abortions by
5 medication or aspiration. Notwithstanding any other law to the
6 contrary, an advanced practice registered nurse may perform an
7 abortion by medication or aspiration in the first trimester of
8 pregnancy, so long as the advanced practice registered nurse:

9 (1) Has prescriptive authority;

10 (2) Practices within the nurse's practice specialty;

11 (3) Completes a board-approved specified training program
12 that includes a clinical component; and

13 (4) Has a valid, unrevoked, and unsuspended license
14 obtained in accordance with this chapter."

15 SECTION 2. Section 453-16, Hawaii Revised Statutes, is
16 amended as follows:

17 1. By amending subsection (a) to read:



1 "(a) No abortion shall be performed in this State unless:

2 (1) The abortion is performed by a licensed physician or
3 surgeon, [~~or~~] by a licensed osteopathic physician and
4 surgeon[~~and~~], or by an advanced practice registered
5 nurse; provided that the advanced practice registered
6 nurse shall only perform abortions by medication or
7 aspiration;

8 (2) The abortion is performed in a hospital licensed by
9 the department of health or operated by the federal
10 government or an agency thereof, [~~or~~] in a clinic, or
11 in a physician's [~~or~~], osteopathic physician's, or
12 advanced practice registered nurse's office[~~or~~]; and

13 (3) The abortion is performed by a licensed health care
14 provider specified in paragraph (1) acting within the
15 licensed health care provider's lawful scope of
16 practice."

17 2. By amending subsections (d) and (e) to read:

18 "(d) Any person who knowingly violates subsection (a)
19 shall be fined not more than \$1,000 [~~or imprisoned not more than~~
20 ~~five years, or both~~].



1 (e) Nothing in this section shall require [~~any hospital~~
2 ~~or~~] any person to participate in an abortion nor shall [~~any~~
3 ~~hospital or any~~] that person be liable for a refusal[-];
4 provided that the person has given prior written notice to the
5 appropriate and responsible hospital, firm, corporation, or
6 association, if applicable, and the refusal does not cause a
7 serious risk to another person's health or life."

8 SECTION 3. Statutory material to be repealed is bracketed
9 and stricken. New statutory material is underscored.

10 SECTION 4. This Act shall take effect upon its approval.



Report Title:

Termination of Pregnancy; Abortion; Advanced Practice Registered Nurse

Description:

Authorizes advanced practice registered nurses to perform medical or aspiration abortions if certain requirements are met. Clarifies who may refuse to perform an abortion and the notice procedures for refusal. (SD1)

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