

STAND. COM. REP. NO.

495

Honolulu, Hawaii

FEB 19 2021

RE: S.B. No. 619
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committees on Health and Commerce and Consumer Protection, to which was referred S.B. No. 619 entitled:

"A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED NURSES,"

beg leave to report as follows:

The purpose and intent of this measure is to amend provisions concerning fitness to proceed examinations in criminal proceedings to specify circumstances in which qualified advanced practice registered nurses or advanced practice registered nurses with certain required certifications may participate.

Your Committees received testimony in support of this measure from Hawai'i State Center for Nursing, The Queen's Health Systems, Hawai'i - American Nurses Association, Hawai'i Association of Professional Nurses, and six individuals. Your Committees received testimony in opposition to this measure from the Department of the Attorney General, Department of Health, Hawai'i Psychological Association, and two individuals. Your Committees received comments on this measure from the Judiciary and Board of Nursing.

Your Committees find that there is a need for greater access to healthcare, including forensic evaluation services relating to fitness to proceed examinations in criminal proceedings, particularly for those communities in rural areas and on the



neighbor islands. Your Committees further find that this measure provides courts with greater flexibility by allowing qualified advanced practice registered nurses or advanced practice registered nurses (APRN) with prescriptive authority who hold an accredited national certification in an advanced practice registered nurse psychiatric specialization to conduct fitness to proceed evaluations in criminal proceedings. Your Committees also find that the State has adopted the national best practices for APRNs and enacted administrative rules that create a safe practice environment with clear standards to ensure high quality and safe care by APRNs.

Your Committees note the concerns of the Department of Health and the Department of the Attorney General that Act 26, Session Laws of Hawaii 2020, which made recent changes to the forensic examination panel process, be allowed to operate without further changes to the applicable laws so that its effects can be monitored and assessed.

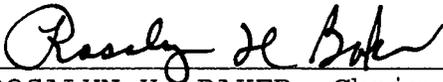
Your Committees have amended this measure by:

- (1) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Health and Commerce and Consumer Protection that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 619, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 619, S.D. 1, and be referred to your Committee on Judiciary.



Respectfully submitted on
behalf of the members of the
Committees on Health and
Commerce and Consumer
Protection,



ROSALYN H. BAKER, Chair



JARRETT KEOHOKALOOLE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB619	HTH/CPN, JDC	02.16.2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
MISALUCHA, Bennette E.		✓		
NISHIHARA, Clarence K.	✓			
RIVIERE, Gil	✓			
SAN BUENAVENTURA, Joy A.		✓		
FEVELLA, Kurt		✓		
TOTAL	4	3		
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive;">Bennette E. Misalucha</div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes