



GOV. MSG. NO. 1304

EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

June 27, 2022

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Thirty-First State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Thirty-First State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on June 27, 2022, the following bill was signed into law:

HB1758 HD2 SD2

RELATING TO NURSES.
ACT 203

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

Approved by the Governor

on JUN 27 2022

HOUSE OF REPRESENTATIVES
THIRTY-FIRST LEGISLATURE, 2022
STATE OF HAWAII

ACT 203
H.B. NO. 1758
H.D. 2
S.D. 2

A BILL FOR AN ACT

RELATING TO NURSES.

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

1 SECTION 1. The legislature finds that there is a nurse
2 shortage in the State that has been exacerbated by the
3 coronavirus disease 2019 pandemic. According to the department
4 of commerce and consumer affairs, almost five thousand nurses
5 left the field between 2019 and mid-year 2021, shrinking the
6 total active workforce from 33,410 in 2019 to 28,548 in 2021.

7 The legislature further finds that experienced, highly
8 qualified nurses from other states, territories, or foreign
9 countries may wish to relocate to Hawaii. Certain qualified
10 applicants for licensure by endorsement who are licensed in
11 another state are eligible for a temporary permit to practice in
12 the State while their applications are verified and reviewed.
13 Expanding the eligibility for a temporary permit to certain
14 registered nurses and qualified licensed practical nurses from
15 other territories and foreign jurisdictions will enable more
16 qualified health care professionals to quickly find employment
17 and enter into the State's health care field.



1 The purpose of this Act is to allow for temporary permits
2 to be issued to registered nurses and licensed practical nurses
3 from a territory or foreign country that are seeking a state
4 license by endorsement.

5 SECTION 2. Section 457-7, Hawaii Revised Statutes, is
6 amended by amending subsection (b) to read as follows:

7 "(b) Licenses shall be granted either by:

- 8 (1) Examination: The applicant shall be required to pass
9 a written examination in nursing subjects as
10 determined by the board. Upon the applicant's passage
11 of the examination and compliance with the applicable
12 requirements of this chapter and the rules of the
13 board, the board shall issue to the applicant a
14 license to practice nursing as a registered nurse; or
- 15 (2) Endorsement: The board may issue a license to
16 practice nursing as a registered nurse by endorsement
17 to an applicant who has been licensed as a registered
18 nurse under the laws of another state, territory, or
19 foreign country if the applicant has an unencumbered
20 license and, in the opinion of the board, the
21 applicant meets the qualifications required of



1 registered nurses in this State at the time of
2 graduation. Pending verification of a valid,
3 unencumbered license from another state, territory, or
4 foreign country, a temporary permit may be issued for
5 employment with a Hawaii employer."

6 SECTION 3. Section 457-8, Hawaii Revised Statutes, is
7 amended by amending subsection (b) to read as follows:

8 "(b) Licenses shall be granted either by:

9 (1) Examination: The applicant shall be required to pass
10 a written examination in nursing subjects as
11 determined by the board. Upon the applicant's passage
12 of the examination and compliance with the applicable
13 requirements of this chapter and the rules of the
14 board, the board shall issue to the applicant a
15 license to practice nursing as a licensed practical
16 nurse; or

17 (2) Endorsement: The board may issue a license to
18 practice nursing as a licensed practical nurse by
19 endorsement to any applicant who has been licensed as
20 a licensed practical nurse, or a person entitled to
21 perform similar services under a different title,



1 under the laws of another state, territory, or foreign
2 country if the applicant has an unencumbered license
3 and, in the opinion of the board, the applicant meets
4 the requirements for licensed practical nurses in this
5 State at the time of graduation. Pending verification
6 of a valid, unencumbered license from another state,
7 territory, or foreign country, a temporary permit may
8 be issued for employment with a Hawaii employer."

9 SECTION 4. Section 457-13, Hawaii Revised Statutes, is
10 amended to read as follows:

- 11 "§457-13 **Exceptions.** This chapter does not prohibit:
- 12 (1) The furnishing of nursing assistance in an emergency;
- 13 (2) The practice of nursing [~~which~~] that is incidental to
14 [~~their~~] the program of study engaged in by students
15 enrolled in nursing education programs accredited by
16 the board;
- 17 (3) The practice of nursing under a nonrenewable permit
18 by:
- 19 (A) A graduate of; or
- 20 (B) An applicant who has provided proof that the
21 applicant has completed the entire educational



1 curriculum required for graduation for a nursing
2 license from,
3 a school [~~which~~] that is in or under the jurisdiction
4 of the United States, a territory, or a foreign
5 jurisdiction, and whose accreditation is recognized by
6 the board; provided that following completion of (A)
7 or (B), the candidate takes the first licensing
8 examination scheduled by any board of nursing
9 recognized by the board and has submitted to the board
10 an application for a license to practice nursing in
11 [~~this~~] the State; and provided further that the permit
12 shall be valid for three months or until the results
13 of the licensing examination are received by the
14 board;

15 (4) The practice of any legally qualified nurse of another
16 state who is employed by the United States or any
17 bureau, division, or agency thereof, while in the
18 discharge of the nurse's official duties;

19 (5) The practice of nursing in connection with healing by
20 prayer or spiritual means alone in accordance with the
21 tenets and practice of any well recognized church or



1 religious denomination, provided that no person
 2 practicing such nursing claims to practice as a
 3 registered nurse or a licensed practical nurse; or
 4 (6) The administration of oral and topical medication and
 5 in emergency situations, other premeasured medication,
 6 by school health aides as provided in section [~~321-~~
 7 ~~242.~~] 302A-853."

8 SECTION 5. Statutory material to be repealed is bracketed
 9 and stricken. New statutory material is underscored.

10 SECTION 6. This Act shall take effect upon its approval.

APPROVED this 27th day of June , 2022



GOVERNOR OF THE STATE OF HAWAII



HB No. 1758, HD 2, SD 2

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 3, 2022
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-First Legislature of the State of Hawaii, Regular Session of 2022.



Scott K. Saiki
Speaker
House of Representatives




Brian L. Takeshita
Chief Clerk
House of Representatives

THE SENATE OF THE STATE OF HAWAI‘I

Date: April 12, 2022
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Thirty-First Legislature of the State of Hawai‘i, Regular Session of 2022.


President of the Senate


Clerk of the Senate