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# A BILL FOR AN ACT

RELATING TO THE CENTER FOR NURSING.

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

1           SECTION 1. The legislature finds that Act 198, Session  
2 Laws of Hawaii 2003 (Act 198), established the Hawaii state  
3 center for nursing to collect and analyze data and prepare and  
4 disseminate written reports and recommendations regarding the  
5 current and future status and trends of the nursing workforce;  
6 conduct research on best practices and quality outcomes; develop  
7 a plan for implementing strategies to recruit and retain nurses;  
8 and research, analyze, and report data related to the retention  
9 of the nursing workforce. Act 198 also requires nurses to fund  
10 the activities of the Hawaii state center for nursing through an  
11 additional fee assessed upon the issuance and renewal of each  
12 nurse license.

13           The purpose of this Act is to:

14           (1) Require all nurses to respond to the center for  
15           nursing workforce supply survey in conjunction with  
16           license renewal; provided that license renewal shall  
17           not be contingent upon responding to the workforce



1 supply survey and failure to respond to the workforce  
2 supply survey shall not result in encumbrance of the  
3 nurse's license; and

4 (2) Increase the additional center for nursing fee from  
5 \$40 per licensing biennium to \$60 per licensing  
6 biennium.

7 SECTION 2. Section 457-9, Hawaii Revised Statutes, is  
8 amended to read as follows:

9 **"§457-9 Renewal of license; inactivation and reactivation**  
10 **of license; restoration of forfeited license.** (a) The license  
11 of every person licensed or granted prescriptive authority shall  
12 expire on June 30 of every odd-numbered year and shall be  
13 renewed biennially, except as provided in this section.  
14 Biennially in each odd-numbered year, the board shall make  
15 available an application for renewal of license before the  
16 deadline set forth by the board to every person to whom a  
17 license was issued or renewed during the biennium. The  
18 applicant shall complete the application and submit it to the  
19 board with a renewal fee, and shall also submit, beginning with  
20 the July 1, 2019, licensing biennium, a full set of electronic  
21 fingerprints for the purpose of obtaining federal and state



1 criminal history record checks in accordance with section  
2 846-2.7, directly to the Hawaii criminal justice data center for  
3 processing with the Federal Bureau of Investigation. The  
4 applicant shall bear the cost of the fingerprint processing and  
5 the application shall not be considered complete until the  
6 results of the criminal history record check has been received  
7 by the board; and all required documents on or before the  
8 deadline set by the board. The applicant shall provide  
9 documents from proper agencies or parties of any criminal  
10 conviction or any disciplinary action taken or pending in this  
11 State or any other state in the United States or any territory  
12 or possession under the jurisdiction of the United States within  
13 the two years prior to application for renewal of license. Upon  
14 receipt of the application and fee, the board shall verify the  
15 accuracy of the application and issue to the applicant a  
16 certificate of renewal for the biennium expiring two years hence  
17 on the deadline set by the board. The renewal shall render the  
18 holder thereof a legal practitioner of nursing for the period  
19 stated on the renewal form. The applicant shall respond to the  
20 center for nursing workforce supply survey in conjunction with  
21 each license renewal application submitted pursuant to this



1 subsection; provided that no license renewal shall be contingent  
2 upon responding to the center for nursing workforce supply  
3 survey; provided further that failure to properly respond to the  
4 center for nursing workforce supply survey shall not result in  
5 an encumbrance on the applicant's license.

6 (b) Any licensee who fails to renew a license as provided  
7 in subsection (a) but continues to practice shall be considered  
8 an illegal practitioner and shall be subject to the penalties  
9 provided for violations of this chapter. The failure to timely  
10 renew a license[~~7~~]; the failure to pay all applicable fees[~~7~~];  
11 the dishonoring of any check upon first deposit[~~7~~]; or the  
12 failure to comply with any other requirement provided by law,  
13 except the requirement to complete the center for nursing  
14 workforce supply survey pursuant to subsection (a), shall cause  
15 the license to be automatically forfeited; provided that the  
16 person's license may be restored by the board within two years  
17 after the date of forfeiture upon compliance with the licensing  
18 renewal fees, penalty fees, and compliance resolution fund fees.

19 A nurse who does not intend to practice nursing in the  
20 State and elects to be placed on inactive status shall so  
21 indicate in writing during the license renewal period or by so



1 indicating on the license renewal application, and paying  
2 inactivation and all appropriate fees. [~~Should the~~] If a nurse  
3 [~~wish~~] wants to resume nursing at some future time, the nurse  
4 shall notify the board in writing and remit the reactivation and  
5 renewal fees; submit an application form as provided in  
6 subsection (a); and beginning with the July 1, 2019, licensing  
7 biennium, submit a full set of electronic fingerprints for the  
8 purpose of obtaining federal and state criminal history record  
9 checks in accordance with section 846-2.7 directly to the Hawaii  
10 criminal justice data center for processing with the Federal  
11 Bureau of Investigation. The applicant shall bear the cost of  
12 the fingerprint processing and the application shall not be  
13 considered complete until the results of the criminal history  
14 record check has been received by the board. A nurse who has  
15 not actively practiced in this State or any other state in the  
16 United States or any territory or possession under the  
17 jurisdiction of the United States for more than five years may  
18 be required by the board to submit proof of continued competency  
19 by retaking and passing the licensing examination or  
20 successfully completing appropriate continuing education  
21 recognized by the board.



1        (c) As used in this section, "center for nursing workforce  
2 supply survey" means the nursing workforce supply survey  
3 conducted biennially by the center for nursing that asks nurses  
4 to provide information about each nurse's demographics,  
5 specialty, setting of work, and other information necessary to  
6 inform the State on the status and characteristics of the  
7 State's nursing workforce."

8        SECTION 3. Section 457-9.5, Hawaii Revised Statutes, is  
9 amended by amending subsection (a) to read as follows:

10        "[+] (a) [+] Upon the issuance of a new license and at each  
11 license renewal period, each nurse shall pay an additional fee  
12 of [~~\$40,~~ \$60, which shall be deposited in a separate account in  
13 the compliance resolution fund established pursuant to section  
14 26-9(o)."

15        SECTION 4. Statutory material to be repealed is bracketed  
16 and stricken. New statutory material is underscored.

17        SECTION 5. This Act shall take effect on July 1, 2060.



S.B. NO. 2274  
S.D. 2  
H.D. 1

**Report Title:**

Center for Nursing; Workforce Supply Survey; License Fees;  
Increase

**Description:**

Requires all nursing license applicants to respond to the center for nursing workforce supply survey in conjunction with license renewal, but does not penalize for failure to do so. Increases the additional center for nursing fee from \$40 to \$60 per licensing biennium. Effective 7/1/2060. (HD1)

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