

JAN 21 2022

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 COVID-19
3 pandemic. According to the department of commerce and consumer
4 affairs, almost five thousand nurses left the field between 2019
5 and mid-year 2021, shrinking the total active workforce from
6 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 is incidental to their
14 program of study by students enrolled in nursing
15 education programs accredited by the board;
- 16 (3) The practice of nursing under a nonrenewable permit
17 by:
- 18 (A) A graduate of; or
- 19 (B) An applicant who has provided proof that the
20 applicant has completed the entire educational



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

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

18 (5) The practice of nursing in connection with healing by
19 prayer or spiritual means alone in accordance with the
20 tenets and practice of any well recognized church or
21 religious denomination, provided that no person



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1 practicing such nursing claims to practice as a
2 registered nurse or a licensed practical nurse; or
3 (6) The administration of oral and topical medication and
4 in emergency situations, other premeasured medication,
5 by school health aides as provided in section 321-
6 242."

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 Statutory material to be repealed is bracketed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

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

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INTRODUCED BY: Bennette J. Mezalana



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Report Title:

Nurses; Registered Nurses; Licensed Practical Nurses; License; Endorsement; Temporary Permits

Description:

Allows for temporary permits to be issued to registered nurses and licensed practical nurses from a territory or foreign country that are seeking a state license by endorsement.

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