
A BILL FOR AN ACT

RELATING TO NURSES.

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- Temporary permit. (a) The board may issue a
5 temporary permit to an out-of-state licensed practical nurse or
6 registered nurse who has applied and met the following
7 requirements:

8 (1) Completed an application on a form prescribed by the
9 board;

10 (2) Paid all fees established by title 16, chapter 53,
11 Hawaii administrative rules, that are made applicable
12 to the board;

13 (3) Provided proof of a valid license in another state,
14 territory, or foreign country by way of a license
15 verification from the other state, territory, or
16 foreign country, or Nursys license verification report



1 pursuant to section 16-89-16(2), Hawaii administrative
2 rules; and

3 (4) The board determines no disciplinary action has been
4 taken or is pending with a nursing authority.

5 (b) An individual who currently holds a multistate license
6 issued by another state may also meet the requirements for a
7 temporary permit; provided that the individual has met the
8 following requirements:

9 (1) Completed an application on a form prescribed by the
10 board;

11 (2) Paid all fees established by title 16, chapter 53,
12 Hawaii administrative rules, that are made applicable
13 to the board;

14 (3) Provided proof of a valid multistate license in
15 another state or territory by way of a Nursys license
16 verification report pursuant to section 16-89-16(2),
17 Hawaii administrative rules; and

18 (4) The board determines no disciplinary action has been
19 taken or is pending with a nursing authority.

20 For purposes of this subsection, a "multistate license" means a
21 license to practice as a licensed practical nurse or registered



1 nurse issued by a home state licensing board that authorizes the
2 licensed nurse to practice in all party states under a
3 multistate licensure privilege.

4 (c) A temporary permit shall only be issued to an
5 applicant who has been appointed or accepted employment with a
6 single health care entity listed in section 321-11(10).

7 (d) A temporary permit shall be issued within ten business
8 days of the date the completed application is received by the
9 board.

10 (e) A temporary permit shall be valid only for a period of
11 six months from the date of issuance. In no case shall a permit
12 issued hereunder be valid for more than a period of six months
13 from the date of issuance. A new and separate temporary permit
14 may be issued provided that the requirements of subsection (a)
15 or (b) have been satisfied."

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

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

19 (1) Examination: The applicant shall be required to pass
20 a written examination in nursing subjects as

21 determined by the board. Upon the applicant's passage



1 of the examination and compliance with the applicable
2 requirements of this chapter and the rules of the
3 board, the board shall issue to the applicant a
4 license to practice nursing as a registered nurse; or
5 (2) Endorsement: The board may issue a license to
6 practice nursing as a registered nurse by endorsement
7 to an applicant who has been licensed as a registered
8 nurse under the laws of another state, territory, or
9 foreign country if the applicant has an unencumbered
10 license and, in the opinion of the board, the
11 applicant meets the qualifications required of
12 registered nurses in this State at the time of
13 graduation. [~~Pending verification of a valid,
14 unencumbered license from another state, territory, or
15 foreign country, a temporary permit may be issued for
16 employment with a Hawaii employer.]"~~

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

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

20 (1) Examination: The applicant shall be required to pass
21 a written examination in nursing subjects as



1 determined by the board. Upon the applicant's passage
2 of the examination and compliance with the applicable
3 requirements of this chapter and the rules of the
4 board, the board shall issue to the applicant a
5 license to practice nursing as a licensed practical
6 nurse; or

7 (2) Endorsement: The board may issue a license to
8 practice nursing as a licensed practical nurse by
9 endorsement to any applicant who has been licensed as
10 a licensed practical nurse, or a person entitled to
11 perform similar services under a different title,
12 under the laws of another state, territory, or foreign
13 country if the applicant has an unencumbered license
14 and, in the opinion of the board, the applicant meets
15 the requirements for licensed practical nurses in this
16 State at the time of graduation. [~~Pending~~
17 verification of a valid, unencumbered license from
18 another state, territory, or foreign country, a
19 temporary permit may be issued for employment with a
20 Hawaii employer.]"



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

3 "**§457-13 Exceptions.** This chapter does not prohibit:

4 (1) The furnishing of nursing assistance in an emergency;

5 (2) The practice of nursing that is incidental to the
6 program of study engaged in by students enrolled in
7 nursing education programs accredited by the board;

8 (3) The practice of nursing [~~under a nonrenewable permit~~]
9 by:

10 (A) A graduate of; or

11 (B) An applicant who has provided proof that the
12 applicant has completed the entire educational
13 curriculum required for graduation for a nursing
14 license from,

15 a school that is in or under the jurisdiction of the
16 United States, a territory, or a foreign jurisdiction
17 and whose accreditation is recognized by the board;

18 provided that following completion of (A) or (B), the
19 candidate takes the first licensing examination
20 scheduled by any board of nursing recognized by the
21 board and has submitted to the board an application



1 for a license to practice nursing in the State[~~;~~ and
2 provided further that the permit shall be valid for
3 three months or until the results of the licensing
4 examination are received by the board];

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

9 (5) The practice of nursing in connection with healing by
10 prayer or spiritual means alone in accordance with the
11 tenets and practice of any well recognized church or
12 religious denomination[~~;~~]; provided that no person
13 practicing such nursing claims to practice as a
14 registered nurse or a licensed practical nurse; [~~or~~]

15 (6) The administration of oral and topical medication and
16 in emergency situations, other premeasured medication,
17 by school health aides as provided in section 302A-
18 853[~~;~~]; or

19 (7) The practice of nursing by a nurse licensed in another
20 state, territory, or foreign country who is
21 accompanying a patient or patients from out of state



1 for a period of less than two weeks and who is not
2 employed by or affiliated with a health care entity in
3 the State."

4 SECTION 5. The department of commerce and consumer affairs
5 may adopt interim rules to establish fees for the administration
6 of this Act. All fees collected shall be deposited to the
7 credit of the compliance resolution fund established pursuant to
8 section 26-9(o), Hawaii Revised Statutes. Fees assessed shall
9 be used to carry out the purposes of this Act without regard to
10 chapter 91 or 201M, Hawaii Revised Statutes; provided that:

- 11 (1) The department shall hold at least one public hearing
12 prior to the adoption of interim rules; and
- 13 (2) The interim rules shall be effective for no more than
14 one year after their adoption.

15 SECTION 6. The department of commerce and consumer affairs
16 may employ necessary personnel without regard to chapter 76,
17 Hawaii Revised Statutes, including one full-time equivalent (1.0
18 FTE) permanent office assistant, for the purposes of this Act.

19 SECTION 7. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$ or so
21 much thereof as may be necessary for fiscal year 2023-2024 and



1 the same sum or so much thereof as may be necessary for fiscal
2 year 2024-2025 to be deposited into the compliance resolution
3 fund.

4 SECTION 8. There is appropriated out of the compliance
5 resolution fund the sum of \$ or so much thereof as may
6 be necessary for fiscal year 2023-2024 and the same sum or so
7 much thereof as may be necessary for fiscal year 2024-2025 to
8 implement the regulation of nurses as required by this Act.

9 The sums appropriated shall be expended by the department
10 of commerce and consumer affairs for the purposes of this Act.

11 SECTION 9. Statutory material to be repealed is bracketed
12 and stricken. New statutory material is underscored.

13 SECTION 10. This Act shall take effect on June 30, 3000.



Report Title:

Nurses; Registered Nurses; Licensed Practical Nurses; Board of Nursing; Licenses; Endorsement; Temporary Permits; Exceptions; Appropriation

Description:

Authorizes the board of nursing to issue temporary permits for six-month periods to out-of-state licensed practical nurses and registered nurses or who hold a multistate license issued by another state, territory, or foreign country, under certain circumstances. Provides an exception from licensing requirements to nurses who are licensed in another state, territory, or foreign country and accompanying a patient from out-of-state for a period of less than two weeks and who are not employed or affiliated with a health care entity in the State. Appropriates funds. Effective 6/30/3000. (HD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

