

STAND. COM. REP. NO.

1570

Honolulu, Hawaii

, 2023

MAR 24

RE: S.B. No. 63

S.D. 2

H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 63, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO NURSES,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize the Board of Nursing to issue temporary permits valid for out-of-state licensed practical nurses, out-of-state licensed registered nurses, and nurses holding multistate licenses, as long as those nurses have been appointed or accepted employment with certain health care facilities;
- (2) Exempt out-of-state nurses who accompany out-of-state patients in the State for a temporary time period from the nurse licensure laws;
- (3) Allow the Department of Commerce and Consumer Affairs to:
 - (A) Establish fees through interim rules for the temporary permits; and



- (B) Employ personnel without regard to the civil service law for managing the temporary permits; and
- (4) Appropriate funds to implement the temporary permitting requirements.

Your Committee received testimony in support of this measure from the Board of Nursing, Hawai'i State Center for Nursing, The Queen's Health System, Kaiser Permanente Hawai'i, Healthcare Association of Hawaii, Hawaii Primary Care Association, Hawai'i - American Nurses Association, and Hawaii Association of Health Plans. Your Committee received comments on this measure from Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Hawai'i Pacific Health, and Grassroot Institute of Hawaii.

Your Committee finds that the existing nursing shortage is expected to reach one thousand vacant positions statewide. Your Committee further finds that many health care facilities employ out-of-state nurses to fill their staffing needs. However, there is considerable lag time between the submission of an application for a temporary permit and its issuance. This measure will streamline the process and alleviate the nursing shortage in the State.

Your Committee has amended this measure by:

- (1) Specifying that an applicant for a temporary permit provide proof of a valid license or multistate license in another state, rather than a valid and unencumbered license or multistate license;
- (2) Including in the requirements to obtain a temporary permit that the Board of Nursing determine no disciplinary action has been taken or is pending with a nursing authority;
- (3) Requiring the Board of Nursing to issue a temporary permit within ten business days of the date the completed application for a temporary permit is received by the Board;
- (4) Clarifying the exemption from licensing requirements for graduates of, or applicants who have completed the



entire educational curriculum from, an accredited school is not subject to the issuance of a nonrenewable permit; and

- (5) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 63, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 63, S.D. 2, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



MARK M. NAKASHIMA, Chair



