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# 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; and

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



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

3 (b) An individual who currently holds a multistate license  
4 may also meet the requirements for a temporary permit; provided  
5 that the individual meets the following requirements:

6 (1) Completed an application on a form prescribed by the  
7 board;

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

11 (3) Provided proof of a valid and unencumbered multistate  
12 license in another state, territory, or country by way  
13 of a Nursys license verification report pursuant to  
14 section 16-89-16(2), Hawaii administrative rules.

15 For purposes of this subsection, a "multistate license" means a  
16 license to practice as a licensed practical nurse or registered  
17 nurse issued by a home state licensing board that authorizes the  
18 licensed nurse to practice in all party states under a  
19 multistate licensure privilege.



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

4       (d) A temporary permit shall be valid only for a period of  
5 six months from the date of issuance. In no case shall a permit  
6 issued hereunder be valid for more than a period of six months  
7 from the date of issuance. A new and separate temporary permit  
8 may be issued provided that the requirements of subsection (a)  
9 or (b) have been satisfied."

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

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

13       (1) Examination: The applicant shall be required to pass  
14 a written examination in nursing subjects as  
15 determined by the board. Upon the applicant's passage  
16 of the examination and compliance with the applicable  
17 requirements of this chapter and the rules of the  
18 board, the board shall issue to the applicant a

19 license to practice nursing as a registered nurse; or

20       (2) Endorsement: The board may issue a license to  
21 practice nursing as a registered nurse by endorsement



1 to an applicant who has been licensed as a registered  
2 nurse under the laws of another state, territory, or  
3 foreign country if the applicant has an unencumbered  
4 license and, in the opinion of the board, the  
5 applicant meets the qualifications required of  
6 registered nurses in this State at the time of  
7 graduation. [~~Pending verification of a valid,  
8 unencumbered license from another state, territory, or  
9 foreign country, a temporary permit may be issued for  
10 employment with a Hawaii employer.]"~~

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

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

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



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

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

17          "**§457-13 Exceptions.** This chapter does not prohibit:

- 18          (1) The furnishing of nursing assistance in an emergency;  
19          (2) The practice of nursing that is incidental to the  
20          program of study engaged in by students enrolled in  
21          nursing education programs accredited by the board;



- 1           (3) The practice of nursing under a nonrenewable permit
- 2           by:
- 3           (A) A graduate of; or
- 4           (B) An applicant who has provided proof that the
- 5                 applicant has completed the entire educational
- 6                 curriculum required for graduation for a nursing
- 7                 license from,
- 8           a school that is in or under the jurisdiction of the
- 9           United States, a territory, or a foreign jurisdiction
- 10           and whose accreditation is recognized by the board;
- 11           provided that following completion of (A) or (B), the
- 12           candidate takes the first licensing examination
- 13           scheduled by any board of nursing recognized by the
- 14           board and has submitted to the board an application
- 15           for a license to practice nursing in the State; and
- 16           provided further that the permit shall be valid for
- 17           three months or until the results of the licensing
- 18           examination are received by the board;
- 19           (4) The practice of any legally qualified nurse of another
- 20           state who is employed by the United States or any



- 1 bureau, division, or agency thereof, while in the  
2 discharge of the nurse's official duties;
- 3 (5) The practice of nursing in connection with healing by  
4 prayer or spiritual means alone in accordance with the  
5 tenets and practice of any well recognized church or  
6 religious denomination~~[r]~~; provided that no person  
7 practicing such nursing claims to practice as a  
8 registered nurse or a licensed practical nurse; ~~[e]~~
- 9 (6) The administration of oral and topical medication and  
10 in emergency situations, other premeasured medication,  
11 by school health aides as provided in section 302A-  
12 853~~[r]~~; or
- 13 (7) The practice of nursing by a nurse licensed in another  
14 state, territory, or country who is accompanying a  
15 patient or patients from out of state for less than  
16 two weeks and who is not employed by or affiliated  
17 with a health care entity in the State."

18 SECTION 5. The department of commerce and consumer affairs  
19 may adopt interim rules to establish fees for the administration  
20 of this Act. All fees collected shall be deposited into the  
21 credit of the compliance resolution fund established pursuant to



1 section 26-9(o), Hawaii Revised Statutes. Fees assessed shall  
2 be used to carry out the purposes of this Act without regard to  
3 chapters 91 or 201M, Hawaii Revised Statutes; provided that:

4 (1) The department shall hold at least one public hearing  
5 prior to the adoption of interim rules; and

6 (2) The interim rules shall be effective for no more than  
7 one year after their adoption.

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

12 SECTION 7. There is appropriated out of the general  
13 revenues of the State of Hawaii the sum of \$ or so  
14 much thereof as may be necessary for fiscal year 2023-2024 and  
15 the same sum or so much thereof as may be necessary for fiscal  
16 year 2024-2025 to be deposited into the compliance resolution  
17 fund.

18 SECTION 8. There is appropriated out of the compliance  
19 resolution fund the sum of \$ or so much thereof as may  
20 be necessary for fiscal year 2023-2024 and the same sum or so



1 much thereof as may be necessary for fiscal year 2024-2025 to  
2 implement the requirements of this Act.

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

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

7 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 country, under certain circumstances. Provides an exception from licensing requirements to nurses who are licensed in another state, territory, or country and accompanying a patient from out-of-state for 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. (HD1)

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

