

**ACT 57**

**S.B. NO. 1642**

**A Bill for an Act Relating to Nursing.**

***Be It Enacted by the Legislature of the State of Hawaii:***

**SECTION 1.** The legislature finds that insofar as section 457-5(a) (2) empowers the board of nursing to approve curricula for educational programs preparing persons for licensure, as contrasted with empowering the board of nursing

to prescribe standards for licensure, it is in conflict with the provisions of Article X, Section 6 of the State Constitution which empowers the board of regents to approve programs and curricula within the university system.

The purpose of this Act is to correct a conflict between the statute and the state Constitution.

SECTION 2. Section 457-5, Hawaii Revised Statutes, is amended to read as follows:

**"§457-5 Duties and powers of the board.** (a) The board shall hold meetings at such times as it deems necessary. The board shall have a president and a secretary-treasurer who shall be elected annually from its members.

The board may:

(1) Adopt, amend or repeal such rules and regulations, pursuant to chapter 91, not inconsistent with the law, as may be necessary, to enable it to carry into effect this chapter;

(2) Prescribe standards [and approve curricula for educational programs] for preparing persons for licensure under this chapter;

(3) Provide for surveys of [such] educational programs at such times as it may deem necessary;

(4) Accredite [such] educational programs as meet the requirements of this chapter and the rules and regulations of the board;

(5) Deny or withdraw accreditation from educational programs for failure to meet prescribed standards;

(6) Examine, license, and renew the licenses of qualified applicants;

(7) Conduct hearings upon charges calling for discipline of a licensee or, denial, suspension, or revocation of a license;

(8) Exercise the power to issue subpoenas, compel the attendance of witnesses, and administer oaths to persons giving testimony at hearings;

(9) Cause the prosecution of all persons violating this chapter and to incur necessary expenses therefor;

(10) Keep a record of all its proceedings; and

(11) Make an annual report to the governor.

(b) The members of the board shall serve without compensation but shall be reimbursed for expenses, including travel expenses necessary for the performance of their duties."

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved May 26, 1981.)