



GOV. MSG. NO. 725

EXECUTIVE CHAMBERS
HONOLULU

LINDA LINGLE
GOVERNOR

June 10, 2009

The Honorable Colleen Hanabusa, President
and Members of the Senate
Twenty-Fifth State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

Dear Madam President and Members of the Senate:

This is to inform you that on June 10, 2009, the following bill was signed into law:

HB814 HD2 SD2 CD1

A BILL FOR AN ACT
RELATING TO NURSE AIDES.
ACT 108 (09)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

A BILL FOR AN ACT

RELATING TO NURSE AIDES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that Act 226, Session
2 Laws of Hawaii 2007, was enacted to provide for the
3 certification and recertification of nurse aides who work in
4 nursing facilities participating in medicare and medicaid
5 programs and in other state-licensed and state-certified health
6 care settings. Certification is a requirement under 42 United
7 States Code Sections 1395i-3 and 1396r.

8 The purpose of this Act is to specify the renewal period
9 for the recertification of certified nurse aides and the number
10 of continuing education hours required for recertification by
11 the director of human services.

12 SECTION 2. Section 346-46, Hawaii Revised Statutes, is
13 amended to read as follows:

14 " [†] §346-46 [†] **Certified nurse aides; training programs**
15 **and recertification.** The director shall:

16 (1) Approve training programs for nurse aides and ensure
17 that the training programs comply with all applicable
18 federal and state requirements;



1 (2) Approve and arrange for the recertification process
2 for nurse aides who work in medicare or medicaid
3 certified nursing facilities; [~~and~~]

4 (3) Approve and arrange for the recertification process
5 for nurse aides who work in state-licensed or state-
6 certified health care settings[-]; and

7 (4) Require recertification not less than every two years.
8 The number of continuing education hours required for
9 recertification shall not exceed twenty-four hours,
10 except as specified by federal law."

11 SECTION 3. Section 457A-2, Hawaii Revised Statutes, is
12 amended by amending subsection (c) to read as follows:

13 "(c) The director of human services shall implement this
14 chapter in accordance with 42 United States Code [~~sections~~]
15 Sections 1395i-3 and 1396r, that relate to:

16 (1) Training programs for nurse aides and recertification;
17 [~~and~~] provided that recertification shall be required
18 not less than every two years and the number of
19 continuing education hours required for
20 recertification shall not exceed twenty-four hours,
21 except as specified by federal law; and



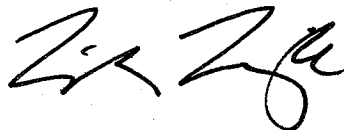
1 (2) Disciplining of certified nurse aides employed in
2 health care settings licensed or certified by the
3 department of human services."

4 SECTION 4. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun, before its effective date.

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 on July 1, 2009.

APPROVED this 10 day of JUN , 2009



GOVERNOR OF THE STATE OF HAWAII

