

JAN 21 2010

A BILL FOR AN ACT

RELATING TO CONTINUING EDUCATION FOR NURSES.

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

1 SECTION 1. The legislature finds that many professions
2 licensed in the state, including physicians, optometrists, and
3 real estate salespersons, require the completion of continuing
4 education courses as a pre-requisite to license renewal.
5 Consequently, the legislature recognizes that in order to
6 maintain the highest level of competency of nurses practicing in
7 the state, it is necessary to include a continuing education
8 component to nurse licensure requirements as well.

9 SECTION 2. Section 457-9, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "§457-9 Renewal of license; denial, suspension, or
12 revocation of license for default of student loan, student loan
13 repayment contract, or scholarship contract; inactivation and
14 reactivation of license; restoration of forfeited license. (a)
15 The license of every person licensed, recognized, or granted
16 prescriptive authority shall expire on June 30 of every odd-
17 numbered year and shall be renewed biennially, except as
18 provided in this section. Biennially in each odd-numbered year,



1 the board shall make available an application for renewal of
2 license before the deadline set forth by the board to every
3 person to whom a license was issued or renewed during the
4 biennium. The applicant shall complete the application and
5 submit it to the board with a renewal fee and all required
6 documents on or before the deadline set by the board. The
7 applicant shall provide documents from proper agencies or
8 parties of any criminal conviction or any disciplinary action
9 taken or pending in this State or any other state in the United
10 States or any territory or possession under the jurisdiction of
11 the United States within the two years prior to application for
12 renewal of license. Upon receipt of the application and fee,
13 the board shall verify the accuracy of the application and issue
14 to the applicant a certificate of renewal for the biennium
15 expiring two years hence on the deadline set by the board. The
16 renewal shall render the holder thereof a legal practitioner of
17 nursing for the period stated on the renewal form.

18 (b) The applicant shall also provide the board with proof
19 of having attended fifteen hours of continuing education, or its
20 equivalent as determined by the board, during the two-year
21 period prior to the application for renewal. Failure to satisfy
22 the continuing education requirement by the license expiration



1 date shall result in the renewed license being automatically
2 placed on an inactive status. The board shall have the
3 authority to grant an extension for the continuing education
4 requirement upon a showing of good cause.

5 [~~(b)~~] (c) Any licensee who fails to renew a license as
6 provided in subsection (a) and (b) but continues to practice
7 shall be considered an illegal practitioner and shall be subject
8 to the penalties provided for violations of this chapter. The
9 failure to timely renew a license, the failure to pay all
10 applicable fees, the dishonoring of any check upon first
11 deposit, or the failure to comply with any other requirement
12 provided by law shall cause the license to be automatically
13 forfeited; provided that the person's license may be restored by
14 the board within two years after the date of forfeiture upon
15 compliance with the licensing renewal fees, penalty fees, and
16 compliance resolution fund fees.

17 A nurse who does not intend to practice nursing in the
18 State and elects to be placed on inactive status shall so
19 indicate in writing during the license renewal period or by so
20 indicating on the license renewal application, and paying
21 inactivation and all appropriate fees. Should the nurse wish to
22 resume nursing at some future time, the nurse shall notify the



1 board in writing and remit the reactivation and renewal fees and
2 application form as provided in subsection (a). A nurse who has
3 not actively practiced in this State or any other state in the
4 United States or any territory or possession under the
5 jurisdiction of the United States for more than five years may
6 be required by the board to submit proof of continued competency
7 by retaking and passing the licensing examination or
8 successfully completing appropriate continuing education
9 recognized by the board.

10 [~~e~~] (d) Notwithstanding any provision in this chapter to
11 the contrary, the board shall not renew or reinstate, or shall
12 deny, suspend, or revoke, any license or application if the
13 board has received certification from an administering entity
14 pursuant to chapter 436C that the licensee or applicant is in
15 default or breach of any obligation under any student loan,
16 student loan repayment contract, or scholarship contract that
17 financed the licensee's or applicant's education, or has failed
18 to comply with a repayment plan.

19 The board, in receipt of a certification pursuant to
20 chapter 436C, as applicable, and without further review or
21 hearing, shall:

22 (1) Suspend the license;



1 (2) Deny the application or request for renewal of the
 2 license; or
 3 (3) Deny the request for reinstatement of the license,
 4 and unless otherwise provided by law, shall renew, reinstate, or
 5 grant the license only upon receipt of an authorization from the
 6 administering entity."

7 SECTION 3. Notwithstanding the continuing education
 8 requirement in section 457-9(b), Hawaii Revised Statutes, any
 9 licensee under section 457-9, Hawaii Revised Statutes, whose
 10 license must be renewed on or before June 30, 2011, shall have
 11 until December 31, 2011, to comply with the continuing education
 12 requirements of section 457-9(b), Hawaii Revised Statutes;
 13 provided that the state board of nursing may grant an extension
 14 upon a showing of good cause. The licensee's license shall
 15 remain valid during such time; provided that all other renewal
 16 requirements have been satisfied.

17 SECTION 4. Statutory material to be repealed is bracketed
 18 and stricken. New statutory material is underscored.

19 SECTION 5. This Act shall take effect upon its approval.
 20

INTRODUCED BY:

David Y. Lee

JM
Enzame Chun Caldwell

Frederick...

SB HMS 2010-1233



Report Title:

Nurses; Continuing Education

Description:

Requires nurses licensed in the state to complete 15 hours of continuing education during each two-year license period as a requirement for license renewal.

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

