

S.B. No. 280

Report Title: Registered Nurses; Foreign Graduates; Licensure Requirements

Correct Description: Removes, for a foreign nursing school graduate applying for a licensure by examination for Registered Nurse in Hawaii, the requirement of obtaining a certification from the Commission on Graduates of Foreign Nursing Schools (CGFNS). Requires the board of nursing to adopt rules requiring submission of the Breakdown of Educational Program for International Nursing Programs and Transcript of Records from the nursing school.



FILIPINO NURSES' ORGANIZATION OF HAWAII

FNOH: *Members Having Fun.....while Enhancing Health in Hawaii*
"Nurses Thinking Globally.....Acting Locally"

PROGRAMS / EVENTS AND FUN

FNOH - SCHOLARSHIPS
FNOH - CONTINUING EDUCATION
FNOH - SEMINARS / CONVENTIONS
FNOH - SPECIAL / ANNUAL EVENTS

EXECUTIVE OFFICERS 2007 - 2009

Josephine Rojas, RN
President

Nancy Atmospera-Walch, RN, BSN,
MPH, CCHN, LNHA, CHES, CMC
President-Elect

Amelia Guillermo, RN
1st Vice President

Rosalinda Malalis, RN, CM
2nd Vice President

Nora Palma, RN, BSN, DON
Corresponding Secretary

Edna Garcia-Gappe, RN, BSN
Recording Secretary

Lisa Supnet, RN
Treasurer

Sarah Suzuki, RN, MBA
Assistant Treasurer

Rida Cabanilla, RN, BSN
Violeta Gonzales, RN, CRAC, CDON
Lilian Macaraig, RN
Auditors

Virgie Dagdag, RNC
Maria Etrata, LPN
Ester Ramos, RN, BSN
P.R.O.

William Flores, RN, BSN
Angie Perdido, RN, DON
Windel Yabes, RN
Business Managers

PAST PRESIDENTS AND BOARD OF ADVISERS

PP Agnes Reyes, RN, CM
Immediate Past President

PP Violeta Arnobit, RN, BSN
PP Margie Berueda, RN, CM
PP Lolita Ching, RN, MSN, CCRN
PP Luz Silvestre-Gantan, RN, BSN, MN
PP Mario Palma, RN, BSN, CNN
PP Elsa Talavera, RN, CM
PP The Late Ines Cayaban, RN (Founder)

Pablo Quiban, ESQ.
Legal Counsel

Connie Chun, JD, MPH, BSN, RN
Legal Adviser

Testimony in Strong Opposition of SB 280

February 11, 2009
3:00 pm, Wednesday
Hawai'i State Capitol Conference Room 016

LATE

Committee on Health

Honorable Senator David Y. Ige, Chair,
Honorable Senator Josh Green, M.D., Vice-Chair
Honorable Senate Health Committee Members:
Senator Rosalyn H. Baker,
Senator Will Espero,
Senator Fred Hemmings
Senator Clarence K. Nishihara,

SB 280 Report Title: Registered Nurses; Foreign Graduates; Licensure Requirements

Description: Removes, for an unlicensed foreign nursing school graduate applying for a registered nurse license in Hawaii, the requirement for a school transcript to be evaluated. Requires board of nursing to adopt rules requiring submission of the breakdown of educational program for international nursing programs form.

Dear Chair David Ige, Vice-Chair Dr. Josh Green, and Members of the Senate Committee on Health:

I am Nancy Atmospera-Walch, a Registered Nurse, a Health Educator, an Entrepreneur, and an Administrator for over 30 years and the president-elect of the Filipino Nurses Organization of Hawaii (FNOH). FNOH is the oldest organization of Filipino Nurses in Hawaii, and possibly the nation. Filipino Nurses Club of Hawaii was founded in 1931, reorganized, and renamed to FNOH in 1973 by Mrs. Ines Cayaban. She is the first Filipino Registered Nurse in Hawaii, who was trained and graduated in the Philippines. FNOH membership is comprised of over 500 nurses and allied health care professionals with very diverse backgrounds.

As the President-Elect of FNOH, I would like to relate to all of you what FNOH has done for foreign graduate nurses and will continue to do so, as long as we believe it is the benefit of the people of Hawaii and without compromising the Nursing Profession.

Since FNOH's inception, it has been helping Foreign Graduate Nurses by coordinating FREE NCLEX RN Review Classes. At first, these classes were just offered to immigrant Filipino Nurses and it was later changed to include all Foreign Immigrant Graduate Nurses.



In addition to helping Filipino Nurses pass their RN Board, FNOH was very instrumental in removing the Test of Fluency in English Language (TOFEL) requirement, an English test prior to taking the N-CLEX exam, through the leadership of one of its members, retired State Representative, Connie Chun.

In 1980, once more, Connie Chun, an elected State Representative at that time, spearheaded the assessment of the 49 other states' requirement to be an RN. The findings indicated that Hawaii was the only state that required a 375 passing score as compared to the other 49 states, which required a passing score of 350. It was also discovered that a Graduate Nurse in Hawaii, must return to school, if he/she failed the RN Board exam three times. Representative Chun and the FNOH President met with the Hawaii Board of Nursing, Dean of the University of Hawaii School of Nursing, HNA President and the Labor Union. Representative Chun pointed out to the group that Hawaii having a more stringent regulation than the rest of the nation was illegal under the comments clause of the constitution. As a result, the passing score for RN was changed to 350 and taking the RN Board Exam became unlimited until one passes the exam.

The deletion of TOFEL, benefited not only the Filipino Nurses but also every foreign graduate nurse and the lowering of the RN Passing Score from 375 to 350 combined with the unlimited test taking, benefited every RN taking their RN Board in Hawaii. These three important outcomes happened because of the perseverance, patience and determination of the leaders and members of FNOH.

During the 1980s', there was an acute shortage of nurses. FNOH responded immediately, networking with the government and other organizations to help reduce the nursing shortage. FNOH was very instrumental in the implementation of a pilot project called, "Operation Nightingale," designed to help qualified individuals especially foreign graduate nurses, to prepare for nursing licensure in Hawaii through Act 212 Session Laws of Hawaii 1988.

In 1990, FNOH started accepting US graduate nurses into the program. Operation Nightingale was originally planned to run for 2 years, but it was extended until 1995 by Act 237 Session Laws of Hawaii 1991. Although Operation Nightingale is no longer in existence, FNOH continues to offer NCLEX-RN Review classes. Due to the busy schedules of its members, FNOH decided to contract reviewers to run the classes, while FNOH members act as mentors to the attendees. This was made possible through donations from the Connie & H.H. Chun Foundation. FNOH believes that having a comprehensive review class would increase the chance of the foreign nursing graduates to pass the RN-NCLEX exam. Therefore, FNOH collaborated with Kapiolani Community College in offering the RN -NCLKEX Review Class that now include a clinical component as well as a practice RN- NCLEX exam, in order to help and give the Foreign graduate nurses the best opportunity to pass the RN-NCLEX exam.

As you can see, FNOH has been supporting foreign graduate nurses from the very beginning. However, we are in STRONG OPOSITION of SB 280, because we feel that it compromises the integrity of the nursing profession.

The proposed SB 280 is misleading . It states that the international certification program is comprised of three parts:

- ❖ a credentials review,
- ❖ the international qualifying examination,
- ❖ and an English proficiency examination.

This is true, but it failed to state that in Hawaii, any foreign graduate nurse is NOT required to take the International Qualifying Examination since the 1990s and the English Proficiency Examination since mid 70s.



The SB 280 also states that Hawaii Administrative Rules, requires that a school transcript of a foreign nursing school graduate applying for a license by examination be evaluated by a professional educational credential evaluator recognized by the board and the applicant must arrange to have the evaluator send a report directly to the board. The Commission on Graduates of Foreign Nursing Schools fulfills this credential evaluation function by either issuing a certification through its international certification program or by issuing a full education course-by-course report.

The above statements are true but these requirements are no different of what are required from US graduate nurses. In the United States, including Hawaii, all professionals who are required to be licensed must prove their qualifications FIRST before they can take the exam. For the graduate nurses, they must meet those qualifications before they can take the N-CLEX exam. To validate their qualifications, the graduate nurse must make a request from her/his nursing school to have his/her transcript of records to be sent directly to the Hawaii Board of Nursing.

The Board of Nursing reviews the transcript for its completeness and validity. The VERY BIG difference is every Nursing School in the United States is ACREDITED and goes through an accreditation process either by the:

- a. Commission on Collegiate Nursing Education (CCNE)
- b. National League for Nursing Accrediting Commission (NLNAC)

This accreditation is very rigorous and it takes NOT a DAY, but about a WEEK. The accrediting bodies review every aspect of the Nursing school – from program curriculum, Professors' qualifications, admission criteria, graduates vs. non-graduates, percentage of students passing the RN board the first time, number of students taking the board more than once, drop out, etc. The schools are then re-accredited every so many years. In the case of Foreign Nursing Schools, who is doing their accreditation? How do the Hawaii Board of Nursing knows which school is qualified or accredited and NOT to mention, how do they make the decision as to which school meets the US School of Nursing Standards?

Many of us who are in the healthcare profession know that many of these foreign schools are questionable as to their credibility. There are schools that the passing rate of their graduates of their own Board Exam is only 50% and there are even schools that have a passing rate of less than 50%.

Sending a copy of the Nurse transcript to the Hawaii Board of Nursing and just checking it against a list of classes with NO Standard to follow is NOT a PROOF of Qualifications. How do we even validate that the transcript was sent to the Board of Nursing directly from the school? In addition, schools courses are different in contents; i.e.; Nursing 350 in one school is not the same as in the other school. It is just like when we transfer from one University to another, not ALL of our credits are transferable. There are times when we have to repeat a course even though we have already taken it before, just because the standards of the two schools are different.

Believe me; I can understand where the foreign graduates are coming from. However, I beg you that we should NOT expedite a process just for the sake of the few. We use NURSING SHORTAGE as an excuse,



but as a nurse, JUST to HAVE ANOTHER BODY working with you is NOT a HELP. If that nurse is not competent, it is a liability.

I am sure that you all know that right now, in Hawaii, there is no shortage of nurses. There is a shortage of job. Our own local graduates are going to the mainland trying to find a job.

We must remember that as nurses and public servants, our number one duty is public safety. That starts by ensuring that every nurse that takes the RN – NCLEX exam is qualified. We require that from US graduate Nurses, and therefore we must require the same from Foreign Graduate nurses. They should NOT be different.

We also must remember that NOT every degree or profession requires an exam before starting to work. However, for professions where it involves the protection of PUBLIC SAFETY, a basic competency exam is required – Lawyers, Doctors, Pharmacists, Nurses, Dentists, Dietitians, etc. In fact, foreign graduate doctors including those that have practice for years in their own country, cannot take the US Medical Board, until they have been accepted by a US Medical School and they have gone through a hospital internship program before they are allowed to take the Medical Board exam.

Therefore, I am asking all of you to support the request of Kathy Yokuochi, Executive Officer of the Board of Nursing to hold Senate Bill 280 in Committee in order to:

- ❖ Allow all the stakeholders to sit down together and create a bill that pass the qualification standards, and find solutions on how to improve the process of education and training document evaluation for foreign graduate nurses,
- ❖ Give us a chance to truly evaluate the ramification and implication to the nursing profession and nursing care of patients if the bill is passed as it is now.
- ❖ Provide us the opportunity to look at strategies that we might be able to use globally, so that nurses can work in any place provided they have met the international standards of nursing practice.

As the saying goes, Haste Makes Waste. Let us Not Haste on this matter for the benefit of a few and a very BIG possibility of Waste/Danger of many.

I thank you all for giving me the opportunity to testify today. Mahalo and Salamat!

Respectfully submitted,

Electronically signed

Nancy Atmospera-Walch, RN, BSN, MPH, CHES, LNHA, CCHN, CMC
President-Elect