

**SB 517**

**PRESENTATION OF THE  
HAWAII MEDICAL BOARD**

TO THE SENATE COMMITTEE ON HEALTH

TWENTY-FIFTH LEGISLATURE  
Regular Session of 2009

Wednesday, February 11, 2009  
3:00 p.m.

**WRITTEN TESTIMONY ONLY**

**TESTIMONY ON SENATE BILL NO. 517, RELATING TO HEALTH CARE  
PROFESSIONALS.**

TO THE HONORABLE DAVID Y. IGE, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

Thank you for the opportunity to provide written testimony on S.B. No. 517, Relating to Health Care Professionals. The purpose of this bill is to allow nurse practitioners, clinical nurse specialists, certified nurse midwives, and physician assistants to sign certain medical certification forms for their patients applicable to the care provided within each practitioner's scope of practice.

The Hawaii Medical Board ("Board") has not had the opportunity to review this bill but will be discussing it at the next Board meeting on February 13, 2009. Therefore, although the Board is not able to take a position at this time it will be able to offer comments at subsequent hearings.

Thank you for the opportunity to provide written comments on this bill.

**PRESENTATION OF THE  
BOARD OF NURSING**

TO THE SENATE COMMITTEE ON HEALTH

TWENTY-FIFTH LEGISLATURE  
Regular Session of 2009

Wednesday, February 11, 2009  
3:00 p.m.

**TESTIMONY ON SENATE BILL NO. 517, RELATING TO HEALTH CARE PROFESSIONALS.**

TO THE HONORABLE DAVID Y. IGE, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

My name is Kathy Yokouchi. I am the Executive Officer of the Board of Nursing ("Board"). I appreciate the opportunity to present testimony on behalf of the Board in opposition to Senate Bill No. 517.

The purpose of this measure is to allow registered nurses, nurse practitioners ("NP"), clinical nurse specialists ("CNS"), certified nurse midwives ("CNM"), and physician assistants to sign certain medical certification forms for their patients applicable to the care provided within each practitioner's scope of practice.

This testimony addresses only Section 3 of the Senate Bill No. 517 which amends Chapter 457 by adding a new section authorizing nurses to sign certain documents.

The Board has the following concerns with this measure:

- On page 2, lines 3-8, the purpose of Senate Bill No. 517 is to permit NP, CNS, and CNM and physician assistants to sign certain medical certification forms. The Certified Registered Nurse Anesthetists ("CRNA") are not mentioned. However, on page 3, lines 15-21, each registered nurse ("RN") and advanced practice registered nurse (which includes the CRNA) are included which makes this provision inconsistent with the measure's purpose. The Board is opposed to authorizing RNs to sign the documents listed.

- On page 3, lines 15-16, and line 21 and on page 4, line 1, advanced practice registered nurses (“APRNs”), is followed by “certified nurse midwife, clinical nurse specialist”. The four categories of CNMs, CNSs, NPs, and CNSs are recognized by all 50 state boards of nursing as APRNs. It is unclear whether there is a purpose for singling out the CNM and CNS from other APRNs;
- On page 4, lines 3 to 10, the list of types of documents which APRNs can sign is helpful. However, the Board is concerned that the statutes of both the Board of Nursing and the Hawaii Medical Board would need to be amended each time changes occur in the type of documents APRNs can sign within their scope of practice.

In conclusion, the Board believes that APRNs should be able to sign documents that are applicable to the care provided within each practitioner’s scope. The Board respectfully requests consideration of its concerns and ask that this measure be held.

Thank you for the opportunity to testify on Senate Bill No. 517.



## Hawai'i Primary Care Association

345 Queen Street | Suite 601 | Honolulu, HI 96813-4718 | Tel: 808.536.8442 | Fax: 808.524.0347  
www.hawaiiPCA.net

To: **The Senate Committee on Health**  
The Hon. David Y. Ige, Chair  
The Hon. Josh Green, MD, Vice Chair

**Testimony in Support of Senate Bill 517**  
**Relating to Health Care Professionals**  
**Submitted by Beth Giesting, CEO**  
**February 11, 2009, 3:00 p.m. agenda, Room 016**

The Hawaii Primary Care Association asks your support for this bill which would allow nurse practitioners to complete fairly routine paperwork for patients, thus making them much more useful as providers in primary care and other settings.

We find that nurse practitioners are excellent clinicians who earn very high marks for clinical quality and patient satisfaction. In addition, with shortages in physicians and financial resources, Hawaii would be well-served to allow NPs to take on the responsibilities outlined in the bill as a regular part of their work.

Thank you for the opportunity to add our support to this measure.

Testimony of  
Frank P. Richardson  
Vice President and Regional Counsel

Before:  
Senate Committee on Health  
The Honorable David Y. Ige, Chair  
The Honorable Josh Green, M.D., Vice Chair

February 11, 2009  
3:00 pm  
Conference Room 016

### **SB 517 RELATING TO HEALTH CARE PROFESSIONALS**

Chair, Vice Chair, and committee members, thank you for this opportunity to provide testimony on SB517 that would allow nurse practitioners, clinical nurse specialists, certified nurse midwives, and physician assistants, who provide the actual care, to sign certain medical certification forms for their patients applicable to the care provided within each practitioner's scope of practice.

#### **Kaiser Permanente Hawaii supports the intent of this bill, with concerns.**

Kaiser Permanente supports the concept of APRNs and PAs completing and signing forms regarding patients they have evaluated and provided care for, and the conditions they are treating them for, within their scope of practice.

That being said, Kaiser has several points of concern with the draft of this bill. As drafted, it appears to grant signature authority generally, to all of the specified practitioners, for a list of 10 specific types of forms. It is somewhat ambiguous whether each practitioner type will be authorized to sign all of these forms, or just certain ones that pertain to their area of practice. For example, surgical PAs do not usually evaluate and treat psychiatric conditions of patients, although an NP in pediatrics or a CNS in behavioral health might do so. As another example, you would not expect a nurse midwife to evaluate or treat Hansen's disease. Kaiser is concerned that the authority to sign these forms might inadvertently imply the authority to practice out of scope. Even though the bill qualifies that the practitioner is authorized to sign these forms for patients they have treated within their scope of practice, it leaves this judgment up to each practitioner as to which forms are appropriate for them to sign.

Additionally, Kaiser notes that Registered Nurses have been included in the revisions to HRS Chapter 457, and they should not be granted this type of signature authority because most, if not all, of the enumerated activities are outside an RN's scope of practice. RNs do not have authority to evaluate and treat psychiatric medical conditions, evaluate and treat Hansen's

disease, or issue orders for physical therapy, drug management, or speech therapy. Thus, RNs should be removed from this bill.

Thank you for the opportunity to comment.



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Written Testimony Presented Before the  
Senate Committee on Health  
February 11, 2009, 3:00 p.m.

by

Virginia S. Hinshaw, Chancellor  
and

Mary G. Boland, DrPH, RN, FAAN  
Dean and Professor

School of Nursing and Dental Hygiene  
University of Hawai'i at Mānoa

### SB 517 RELATING TO HEALTH CARE PROFESSIONALS

Chair Ige, Vice Chair Green, and members of the Senate Committee on Health, thank you for this opportunity to provide testimony in support of SB 517 to permit advanced practice nurses to sign certification forms for their patients, if not already included in SB 1045 relating to Advanced Practice Registered Nurses (APRN).

Access to available and quality health care is a national and state priority to ensure protection of consumers of care. Updating statutes to reflect signature authority by APRNs will help to address the provider shortage and ensure quality care delivery.

In order to effectively and efficiently implement the APRN role, APRNs must have the ability to sign the multiple forms required to document services. The scope of an APRN includes, but is not limited to, performing acts of advanced assessment and diagnosing. Expanding signature rights to APRNs will streamline the process at the health care system level by providing point-of-contact service to clients. Clear bill language will allow APRNs global signature rights relative to health care for their patients to further address this ongoing need. For example, the APRN signature will be accepted by insurers on the forms required for school physicals, durable medical equipment such as wheelchairs and walkers, and many other consumer needs.

The University of Hawai'i Mānoa and the School of Nursing and Dental Hygiene supports a collaborative approach to addressing the healthcare provider needs of Hawai'i and looks forward to our continued partnership with the legislature and community.

Thank you for the opportunity to testify.





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**OCCUPATIONAL THERAPY ASSOCIATION OF HAWAII**

1360 S. Beretania St., Suite 301, Honolulu, Hawaii 96814

Testimony by:  
Virginia Tully, OTR, MBA  
SB 517, Health Care Professionals  
Sen. HTH Hearing – Weds. Feb. 11, 2009  
Room 016 – 3:00 pm

**Position: Support**

Chair Ige, and Members of the Senate HTH Committee:

I am Virginia Tully, OTR, and past-president of the Occupational Therapy Association of Hawaii, (OTAH), which represents 507 occupational therapists (OTs) licensed in Hawaii. OT's work in many settings throughout the State, including hospitals, schools, and prisons, to private facilities and community programs. We work with very young children, ages 0-3, as well as school aged children, adults, and the elderly, seeking to restore or develop social-emotional, physical, cognitive, communication and adaptive behavior challenges.

Through understanding of the effect of the consumer's disability, illness and impairment, the occupational therapist develops a program that will promote development and establish needed skills to be independent in daily living activities. Daily living skills include self-care such a bathing, dressing, and skills required for learning, work or social interaction. Often times, OTs must design/fabricate special devices or suggest modification to the home environment.

We support this measure because it will expedite referrals for rehabilitation services. Rehabilitation services include physical therapy, occupational therapy and speech therapy. As such, the following amendments are offered (underlined and bold text are recommended changes):

- Page 1, line 6, “..physical, **occupational therapies** and speech therapy forms, ..”
- Page 3, line 4, “(5). Orders for **physical and occupational therapies** and speech therapy and plans of care;”
- Page 4, line 7, “(3). Orders for physical therapy **and occupational therapies**, and plans of care;”

An injured patient may require one, two or all three of the rehabilitative services.

Thank you for the opportunity to submit testimony. I can be reached at 544-3336 if further information is needed.

Testimony  
Senate Health Committee

February 11, 2009, 3:00 PM ~ Senate Conference Room 016

By

**Dale M. Allison, PhD, RNC, APRN-Rx, FAAN**  
**Hawai'i Pacific University**  
**Professor of Nursing & Graduate Program Chair**

**SB 517 RELATING TO HEALTH CARE PROFESSIONALS Health Care; Advanced Practice Registered Nurse; Primary Care Provider; Prescriptive Authority**

Senator David Ige – Chair, Senator Josh Green – Vice Chair, Senator Rosalyn Baker, Senator Will Espero, Senator Clarence Nishihara, and Senator Fred Hemmings

Thank you for this opportunity to provide testimony regarding SB 517

As a nurse practitioner and educator of Advanced Practice Nurses (APRN), I am very pleased **to support** this bill which allows nurse practitioners, clinical nurse specials, certified nurse midwives, and physicians assistants, who provide the actual care, to sign certain medical certification forms for their patients applicable to the care provided within each practitioner's scope of practice.

Supporting this bill will assist APRNs as well as physicians to be cost efficient and time saving while providing timely access to care.

Thank you for your attention to helping to make health care more productive and accessible to your constituents, and for this opportunity to testify.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Monday, February 09, 2009 4:30 PM  
**To:** HTHTestimony  
**Cc:** geesey@hawaii.edu  
**Subject:** Testimony for SB517 on 2/11/2009 3:00:00 PM

**Categories:** Blue Category

Testimony for HTH 2/11/2009 3:00:00 PM SB517

Conference room: 016  
Testifier position: oppose  
Testifier will be present: No  
Submitted by: Yvonne Geesey  
Organization: Hawaii Association of Professional Nurses  
Address: P.O. Box 4314 Honolulu, HI 96812  
Phone: 808-227-9361  
E-mail: [geesey@hawaii.edu](mailto:geesey@hawaii.edu)  
Submitted on: 2/9/2009

Comments:  
Please defer this bill.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Sunday, February 08, 2009 7:41 PM  
**To:** HTHTestimony  
**Cc:** wailua@aya.yale.edu  
**Subject:** Testimony for SB517 on 2/11/2009 3:00:00 PM

**Categories:** Green Category, Blue Category

Testimony for HTH 2/11/2009 3:00:00 PM SB517

Conference room: 016

Testifier position: oppose

Testifier will be present: No

Submitted by: Wailua Brandman APRN-Rx BC

Organization: Individual

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Submitted on: 2/8/2009

Comments: