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# A BILL FOR AN ACT

RELATING TO CONTINUING COMPETENCY FOR NURSES.

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

1           SECTION 1. The legislature finds that to ensure public  
2 health, candidates for initial nurse licensure are required to  
3 pass a national examination that measures the minimum  
4 competencies needed to perform safely and effectively as newly  
5 licensed, entry-level registered or practical nurses. In  
6 today's health care environment, because technology and practice  
7 are continually changing and new health care systems are  
8 emerging, the challenge of licensure boards is to assure  
9 consumers that nurses are competent throughout their practice  
10 careers. Research shows that continuing education alone is not  
11 enough to ensure competency in post-entry nurses. According to  
12 the Institute of Medicine, "[A]n emerging concept ... includes  
13 components of [continuing education] but has a broader focus,  
14 such as teaching how to identify problems and apply solutions,  
15 and allowing health professionals to tailor the learning  
16 process, setting, and curriculum to their needs."

17           The legislature further finds that continuing competency  
18 that ensures continued patient health and safety requires



1 lifelong learning and ongoing redefinition based on the  
2 individual's experience, change in practice setting, and  
3 educational advancement. Each nurse must maintain and augment  
4 the necessary knowledge and skills to be current in practice.  
5 To do this, each nurse needs a self-assessment tool that enables  
6 the nurse to: assess and adapt to their learning needs; stretch  
7 learning from the classroom to the point of care; match the need  
8 for continuing education to the learning for competence; and  
9 support increased personal accountability for lifelong learning  
10 to ensure safe practice.

11 The legislature therefore finds that the Hawaii nurse  
12 continued competency program, which contains these elements and  
13 learning activity options, must be established for nurses  
14 licensed in Hawaii.

15 Accordingly, the purpose of this Act is to require licensed  
16 registered nurses and licensed practical nurses to submit  
17 evidence of continuing competency at each renewal period,  
18 beginning with the June 30, 2017, licensing biennium.

19 SECTION 2. Chapter 457, Hawaii Revised Statutes, is  
20 amended by adding five new sections to be appropriately  
21 designated and to read as follows:



1        "§457- Continuing competence requirements; qualifying  
2 learning activities; documentation; audit. (a) In addition to  
3 the requirements of section 457-9, upon application for license  
4 renewal or reinstatement, each registered nurse and practical  
5 nurse licensee shall:

6        (1) Complete a self-assessment of practice, including the  
7 dimensions of professional responsibility, knowledge  
8 based practice, legal/ethical practice, and  
9 collaborating with others;

10       (2) Develop a plan for continued learning; and

11       (3) Select and implement a learning activity option  
12 pursuant to subsection (d).

13       (b) Registered nurses licensed in this State who also  
14 maintain active advanced practice registered nurse licenses in  
15 accordance with this chapter shall not be required to fulfill  
16 additional continuing competency requirements for registered  
17 nurses under subsection (a).

18       For first-time license renewals, if the initial license was  
19 issued twelve months or less prior to the renewal date, no  
20 continuing competence units will be required for the first  
21 renewal period. If the initial license was issued more than  
22 twelve months prior to the renewal date, the licensee shall be



1 required to obtain fifteen units of approved continuing  
2 competence units for the first renewal period.

3 (c) Upon application for license renewal or reinstatement,  
4 each licensee shall attest to completion of one of the learning  
5 activity options pursuant to subsection (d) during the two years  
6 preceding the application for license renewal and shall be  
7 prepared to submit evidence of completion if requested by the  
8 board.

9 (d) Completion of one of the following learning activities  
10 shall meet the requirements for continuing competence under  
11 subsection (a):

12 (1) National certification or recertification related to  
13 the nurse's practice role;

14 (2) Thirty contact hours of continuing education  
15 activities;

16 (3) Completion of a board approved refresher course;

17 (4) Completion of a minimum of two semester hours of post-  
18 licensure academic education related to nursing  
19 practice;

20 (5) Fifteen contact hours of a continuing education  
21 activity and completion of a nursing research or



- 1 evidence-based practice project as principal or co-
- 2 principal investigator;
- 3 (6) Fifteen contact hours of a continuing education
- 4 activity and authoring or coauthoring a peer reviewed
- 5 published nursing or health-related article, paper,
- 6 book, or book chapter;
- 7 (7) Fifteen contact hours of a continuing education
- 8 activity and developing and conducting a nursing
- 9 education presentation or presentations totaling a
- 10 minimum of five contact hours;
- 11 (8) Fifteen contact hours of a continuing education
- 12 activity and six hundred forty hours of active
- 13 practice within the previous two years; or
- 14 (9) Completion of a recognized nurse residency program.
- 15 (e) The following activities do not meet the requirements
- 16 for continuing competency:
- 17 (1) Offerings designed for lay persons;
- 18 (2) Offerings less than thirty minutes in duration;
- 19 (3) On-the-job orientation;
- 20 (4) On-the-job training related to new policies,
- 21 procedures, or equipment; or



1       (5) Other educational activities not sufficiently  
2           professional in character to reasonably qualify as  
3           continuing education.

4       (f) Acceptable documentation for completion of the  
5 learning activities under subsection (d) includes the following  
6 evidence:

7       (1) For national certification or recertification: a copy  
8           of a certificate that includes the name of the  
9           licensee, name of the certifying body, date of  
10          certification, and date of certification expiration.  
11       Certification shall be initially attained during the  
12       licensure period, have been in effect during the  
13       entire licensure period, or have been recertified  
14       during the licensure period;

15       (2) For contact hours of continuing education: the name  
16       of the licensee, title of educational activity, name  
17       of the provider, number of contact hours, and date of  
18       activity;

19       (3) For a board approved refresher course: written  
20       correspondence from the provider with the name of the  
21       licensee, name of the provider, and verification of  
22       successful completion of the refresher course;



- 1        (4) For post-licensure academic education: a copy of the  
2        licensee's transcript with the name of the licensee,  
3        name of the educational institution, dates of  
4        attendance, name of course with grade, and number of  
5        credit hours received. Coursework shall demonstrate  
6        relevance to nursing, health, or both;
- 7        (5) For a nursing project: an abstract or summary of the  
8        project, the name of the licensee, role of the  
9        licensee as principal or co-principal investigator,  
10       date of project completion, statement of the problem,  
11       project objectives, methods used, and summary of  
12       findings;
- 13       (6) For authoring or co-authoring a peer reviewed  
14       published nursing-related article, paper, book, or  
15       book chapter: a copy of the publication, including  
16       the name of the licensee and the publication date;
- 17       (7) For developing and conducting a nursing education  
18       presentation or presentations totaling at least five  
19       contact hours: a copy of the program brochure or  
20       course syllabi, objectives, content, and teaching  
21       methods, and date and location of presentation; and



1       (8) For six hundred forty hours of active practice in  
2       nursing: name of the licensee, number of hours worked  
3       in a calendar or fiscal year, name and address of the  
4       employer, and signature of supervisor. If self-  
5       employed, hours worked may be validated through other  
6       methods, such as tax records or other business  
7       records. If active practice is of a volunteer or  
8       gratuitous nature, hours worked may be validated by  
9       the recipient agency.

10       (g) At the time of license renewal or reinstatement,  
11       licensees may be subject to audit for proof of compliance with  
12       the board's requirements for continuing competence.

13       (h) The board may randomly audit a licensee's continuing  
14       competence units and may establish guidelines for random audits.  
15       The board shall inform licensees of the licensees' selection for  
16       audit upon notice of license renewal or reinstatement.

17       Documentation of acceptable evidence shall be consistent with  
18       subsection (f) and shall be submitted to the board no later than  
19       the last day of the renewal month.

20       (i) Unless exempted, failure of a licensee to meet  
21       continuing competency requirements shall result in disciplinary  
22       action in accordance with this chapter. Failure to present





1 evidence of compliance to the board upon request shall  
2 constitute a forfeiture of the license.

3 §457- Authorized providers of continuing competence

4 units. (a) Continuing education may be taken in a conventional  
5 classroom setting, via online courses, professional journals,  
6 correspondence, or other emerging venues.

7 (b) Continuing competence units shall be obtained from the  
8 following authorized providers:

9 (1) Any provider, recognized by a national credentialing  
10 body, offering certification in the licensed nurse's  
11 specialty area of practice, including but not limited  
12 to: American Nurses Credentialing Center Commission  
13 on Certification; Oncology Nursing Certification  
14 Corporation; Board of Certification for Emergency  
15 Nursing; National Association for Practical Nurse  
16 Education and Service, Inc.; and National Commission  
17 for Health Education Credentialing, Inc.;

18 (2) Any provider, recognized by a national credentialing  
19 body, offering certification to nurse practitioners,  
20 nurse midwives, nurse anesthetists, or clinical nurse  
21 specialists, including but not limited to: American  
22 Nurses Credentialing Center Commission on



- 1           Certification; American Academy of Nurse  
2           Practitioners; National Certification Corporation;  
3           Pediatric Nursing Certification Board; and Council on  
4           Certification of Nurse Anesthetists;  
5           (3) American Nurses Association, or any state professional  
6           nurses association with standards equal to or greater  
7           than the State's standards;  
8           (4) Area Health Education Centers in the State or any  
9           state Area Health Education Center that is a member of  
10           the National Area Health Education Center  
11           Organization;  
12           (5) National League for Nursing;  
13           (6) National Association for Practical Nurse Education and  
14           Service, Inc.;  
15           (7) National Federation of Licensed Practical Nurses;  
16           (8) Any state board of nursing with standards equal to or  
17           greater than the State's standards;  
18           (9) National Council of State Boards of Nursing;  
19           (10) Employer-sponsored continuing education programs  
20           having a minimum of one course objective; provided  
21           that employer-sponsored continuing education may only  
22           be used for up to fifty per cent of total contact



1 hours unless the program is accredited through one of  
2 the authorized providers in this subsection;

3 (11) Any provider of professional continuing education for  
4 health care professionals recognized by the board,  
5 with offerings related to specialty areas of nursing  
6 practice such as research, case management, health  
7 policy, forensics, mental health, or complementary  
8 alternative therapies offered by entities including  
9 but not limited to the Commission for Case Manager  
10 Certification, National Association for Healthcare  
11 Quality, or American Legal Nurse Consultant  
12 Certification Board; or

13 (12) Professional journals such as American Journal of  
14 Nursing, Nursing 2006, Nursing Management, Journal of  
15 Practical Nursing, and The Nurse Practitioner,  
16 offering continuing education approved by authorized  
17 providers including but not limited to: American  
18 Nurses Credentialing Center; American Association of  
19 Critical-Care Nurses; and National Association for  
20 Practical Nurse Education and Service, Inc.

21 §457- Exemption from continuing competence requirements.

22 (a) Prior to the expiration of a renewal period, a licensee may



1 submit a written request to the board for an exemption from the  
2 continuing competence requirements in this chapter.

3 (b) The request for an exemption shall include evidence  
4 that, during the two-year period prior to the expiration of the  
5 license:

6 (1) The licensee was residing in another country for one  
7 year or longer, reasonably preventing completion of  
8 the continuing competence requirements;

9 (2) The licensee was ill or disabled for one year or  
10 longer as documented by a licensed physician, surgeon,  
11 clinical psychologist, or advanced practice registered  
12 nurse, preventing completion of the continuing  
13 competence requirements; or

14 (3) A dependent family member of the licensee was ill or  
15 disabled for one year or longer as documented by a  
16 licensed physician, surgeon, clinical psychologist, or  
17 advanced practice registered nurse, preventing  
18 completion of the continuing competence requirements.

19 (c) Exemptions shall be considered by the board on a case  
20 by case basis. Exemptions shall not be granted unless proof,  
21 deemed appropriate and sufficient by the board that the  
22 applicant can practice safely, is submitted to the board.



1 Exemptions shall not be granted for more than one renewal  
2 period. In the event a licensee cannot complete the continuing  
3 competence requirements during the two-year period after  
4 receiving an exemption, the licensee may only renew the license  
5 on an inactive status.

6 (d) When a licensee is absent from the State because of  
7 military service for a period of one year or longer during the  
8 two-year renewal period, preventing completion of the continuing  
9 competence requirement, the board may provide an exemption from  
10 the continuing competence requirement for more than one renewal  
11 period.

12 §457- Record keeping for continuing competence. (a)  
13 Each licensee shall keep and maintain records showing that each  
14 course or activity for which credit is claimed has been  
15 completed.

16 (b) These records shall reflect the title of the course or  
17 activity, the date taken or completed, and the record of  
18 participation.

19 (c) Each licensee shall retain records required pursuant  
20 to this section for a period of four years after the course or  
21 activity concludes. Each licensee shall provide copies of the



1 records to the board or its designee within fourteen calendar  
2 days after being requested to provide such documentation.

3 §457- Continuing competence; acceptable contact hours or  
4 continuing education units. (a) The following are acceptable  
5 contact hours or continuing education units that fulfill the  
6 continuing competence requirements of this chapter:

7 (1) One contact hour shall be equivalent to sixty minutes  
8 of instruction;

9 (2) One contact hour shall be equivalent to sixty minutes  
10 of clinical or laboratory practice in an informal  
11 offering or a minimum of fifty minutes of actual  
12 organized instruction;

13 (3) One continuing medical education unit shall be  
14 equivalent to one contact hour of instruction; and

15 (4) One continuing education unit shall be equivalent to  
16 ten contact hours of instruction.

17 (b) Academic credit shall be converted to contact hours as  
18 follows:

19 (1) One quarter academic credit shall be equivalent to  
20 twelve and one-half contact hours; and

21 (2) One semester academic credit shall be equivalent to  
22 fifteen contact hours.



- 1        (c) Contact hour equivalencies shall be as follows:
- 2        (1) One continuing education unit shall be equivalent to
- 3        ten contact hours;
- 4        (2) One continuing medical education credit shall be
- 5        equivalent to sixty minutes; and
- 6        (3) One American Medical Association credit shall be
- 7        equivalent to sixty minutes."

8        SECTION 3. Section 457-2, Hawaii Revised Statutes, is  
9        amended by adding three new definitions to be appropriately  
10       inserted and to read as follows:

11        "Competence" means the application of knowledge, skills,  
12        and behaviors required to function effectively, safely,  
13        ethically, and legally within the context of the individual's  
14        role and environment.

15        "Continuing competence" means the lifelong process of  
16        maintaining and documenting competence through ongoing self-  
17        assessment, development, and implementation of a personal  
18        learning plan, and subsequent reassessment.

19        "Unit" means a relative value assigned to continuing  
20        competence activities in which one continuing competence unit is  
21        equivalent to at least fifty minutes of classroom or hands on  
22        instruction."



1           SECTION 4. The department of commerce and consumer  
2 affairs, in collaboration with the center for nursing, shall  
3 convene a stakeholder group to address any outstanding issues  
4 associated with the implementation of the continuing competence  
5 requirements pursuant to this Act and shall report to the  
6 legislature no later than twenty days prior to the convening of  
7 the regular sessions of 2015 and 2016.

8           SECTION 5. New statutory material is underscored.

9           SECTION 6. This Act shall take effect on July 1, 2014;  
10 provided that the continuing competence requirements for  
11 registered nurses and practical nurses shall take effect with  
12 the licensing biennium beginning on June 30, 2017.





**Report Title:**

Nurses; Registered Nurses; Practical Nurses; Continuing Competency; Licensing; Registration

**Description:**

Requires licensed registered nurses and licensed practical nurses to submit evidence of continuing competency at each renewal period, beginning with the June 30, 2017, licensing biennium. Requires the department of commerce and consumer affairs, in collaboration with the center for nursing, to convene a stakeholder group to address any outstanding issues associated with the implementation of the continuing competence requirements for nurses and report to the legislature. (SD2)

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