

JAN 27 2016

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**A BILL FOR AN ACT**

RELATING TO NURSING.

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

1           SECTION 1. The legislature finds that recent incidents of  
2 individuals using false verifications of inactive or non-  
3 existent Hawaii nurse licenses to fraudulently obtain nursing  
4 license verifications in other states have prompted Hawaii's  
5 board of nursing to seek the use of a more secure system  
6 recognized by almost all state nursing boards. This coordinated  
7 licensure information system, currently under the National  
8 Council of State Boards of Nursing and known as "Nursys", is a  
9 national database for nurse licensees that includes license and  
10 disciplinary action information. Currently, Hawaii, Alabama,  
11 Oklahoma, and Louisiana are the only states with boards of  
12 nursing not "fully" participating in Nursys, meaning that  
13 although Hawaii reports all disciplinary actions taken against a  
14 nurse licensee to Nursys, license information is not provided.

15           The information to be shared as part of full participation  
16 in Nursys includes licensure and enforcement activities related  
17 to nurse licensure laws. By sharing license and discipline  
18 information with Nursys, the nurse licensee will be able to

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1 obtain a license verification and have it available immediately  
2 to the endorsing board of nursing. Benefits of participating in  
3 Nursys also include prompt email notification of any  
4 disciplinary action taken by another board of nursing against an  
5 individual holding a Hawaii nurse license, Social Security  
6 Master Death Index comparison, and Sex Offenders Registry  
7 comparison. Additionally, by participating more fully in  
8 Nursys, the board of nursing will be able to timely obtain  
9 verification of licensure for applicants applying for a Hawaii  
10 nurse license, and Hawaii licensees endorsing to another state  
11 will be able to order a verification through Nursys,  
12 streamlining the licensure process. Furthermore, greater  
13 participation in Nursys will enhance the transition towards the  
14 adoption of the nurse licensure compact.

15 The purpose of this Act is to allow the board of nursing to  
16 share nurse license information with the Nursys coordinated  
17 nurse licensure information system.

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

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1           "§457-    Nursys; verification of nurse license.  
2 Notwithstanding any other law to the contrary, the board of  
3 nursing may fully participate in Nursys by sharing licensure and  
4 discipline data with Nursys. By applying for nurse licensure,  
5 individuals shall consent to allowing the board to share their  
6 licensure and discipline data with Nursys."

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

10           "Licensure and discipline data" means identifying  
11 information that includes but is not limited to the licensee's  
12 name, address, social security number, date of birth, and  
13 nursing education.

14           "Nursys" means an integrated process for collecting,  
15 storing, and sharing information on nurse licensure and  
16 enforcement activities related to nurse licensure laws that is  
17 administered by a nonprofit organization composed of and  
18 controlled by licensing boards."

19           SECTION 4. New statutory material is underscored.

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1 SECTION 5. This Act shall take effect upon its approval.

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INTRODUCED BY: 

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BY REQUEST

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**Report Title:**

Nursing; Nursys; Licensure; Identifying Information

**Description:**

Allows the Board of Nursing to more fully participate in Nursys, a national database for nurse licensees by sharing license and disciplinary action information.

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

## JUSTIFICATION SHEET

DEPARTMENT: Commerce and Consumer Affairs

TITLE: A BILL FOR AN ACT RELATING TO NURSING.

PURPOSE: To allow the Hawaii Board of Nursing (Board) to fully participate in Nursys, a national database for nurse licensees by sharing licensure and disciplinary action information.

MEANS: Add a new section to chapter 457, Hawaii Revised Statutes, and amend section 457-2, Hawaii Revised Statutes.

JUSTIFICATION: Currently Hawaii, Alabama, Oklahoma, and Louisiana are the only states with boards of nursing that do not fully participate in Nursys by providing licensee information.

The Board is unable to fully participate in Nursys because it is prohibited under current law from sharing, among other things, social security numbers, addresses, and date of birth information.

The Board recognizes the strong public policy interest in protecting personal information. However, the State's inability to fully participate in Nursys makes it difficult for other states to verify the status of Hawaii nurse licensees. Recent incidents involving fraudulent license applications have caused all nursing boards to re-evaluate their verification processes and it is important that Hawaii's licensees seeking licensure in other states are not negatively impacted by Hawaii's current verification system.

In addition, the inability to fully participate in Nursys precludes the Board from participating in other national initiatives such as license reciprocity.

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Impact on the public: No adverse effect on the public is anticipated. Hawaii nurse licensees may have their status more quickly verified by other states' licensing boards.

Impact on the department and other agencies: No adverse effect on the department or other agencies is anticipated.

GENERAL FUNDS: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: CCA-105.

OTHER AFFECTED  
AGENCIES: None.

EFFECTIVE DATE: Upon approval.