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# A BILL FOR AN ACT

RELATING TO HEALTH.

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

1           SECTION 1. The legislature finds that advanced practice  
2 registered nurses fill many critical roles in the health care  
3 system alongside physicians, including practicing medicine  
4 independently, practicing as clinicians, and filling medical  
5 leadership positions. Despite advanced practice registered  
6 nurses filling a critical service gap in health care in the  
7 State, the department of health's administrative rules reserve  
8 the role of medical director exclusively for physicians.

9           The legislature finds that community discussion is needed  
10 to explore the feasibility of including advanced practice  
11 registered nurses in medical director roles. Numerous issues  
12 must be considered before any statutory changes are made,  
13 including ensuring that proposed statutory definitions do not  
14 infringe on the rights of health care entities to self-govern  
15 and freely determine staff qualifications; determining the  
16 appropriate nomenclature to be used when describing the  
17 practical role of medical director, as this role varies greatly



1 depending on the size and type of facility; and researching and  
2 reconciling any compliance implications stemming from the  
3 federal Centers for Medicare and Medicaid Services and other  
4 federal regulations regarding qualifications of medical  
5 directors.

6 The purpose of this Act is to establish a working group to  
7 research and make recommendations to permit advanced practice  
8 registered nurses to be eligible for medical leadership  
9 positions.

10 SECTION 2. (a) The department of health shall establish  
11 and convene the advanced practice registered nurse medical  
12 leadership working group to research and make recommendations to  
13 permit advanced practice registered nurses to be eligible for  
14 medical leadership positions and identify any exceptions,  
15 federal regulations, or other circumstances under which  
16 eligibility for positions of medical director or medical  
17 director-analogs may be inappropriate.

18 (b) The advanced practice registered nurse medical  
19 leadership working group shall consist of the following members:

20 (1) The director of health or the director's designee;



- 1           (2) The director of commerce and consumer affairs or the
- 2           director's designee;
- 3           (3) The director of the Hawaii center for nursing or the
- 4           director's designee;
- 5           (4) A representative from a health care facility trade
- 6           association to be appointed by the chairperson; and
- 7           (5) Other representatives from health care or academia, as
- 8           requested by the director of health.

9           The director of health or the director's designee shall  
10          serve as the chairperson of the working group.

11          (c) The advanced practice registered nurse medical  
12          leadership working group shall be exempt from part I of chapter  
13          92, Hawaii Revised Statutes.

14          (d) The advanced practice registered nurse medical  
15          leadership working group shall submit a report of its findings  
16          and recommendations, including any proposed legislation, to the  
17          legislature no later than twenty days prior to the convening of  
18          the regular session of 2020.

19          SECTION 3. This Act shall take effect upon its approval.



**Report Title:**

Advanced Practice Registered Nurses; Working Group; Department of Health; Medical Leadership Positions

**Description:**

Establishes the advanced practice registered nurse medical leadership working group chaired by the department of health to research and make recommendations regarding advanced practice registered nurses' eligibility for medical leadership positions. (SD1)

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

