

STAND. COM. REP. NO.

1157

Honolulu, Hawaii

MAR 25 2021

RE: H.B. No. 302
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2021
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 302,
H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADVANCED PRACTICE REGISTERED
NURSES,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Authorize advanced practice registered nurses to certify whether a person is totally disabled under the State income tax code;
- (2) Authorize advanced practice registered nurses with psychiatric specializations to make capacity determinations; and
- (3) Add advanced practice registered nurses with psychiatric specializations as primary providers in advance mental health care directives.

Your Committee received testimony in support of this measure from the Hawai'i State Center for Nursing, Board of Nursing, Hawai'i - American Nurses Association, Hawai'i Psychological Association, Hawaii Substance Abuse Coalition, National Association of Social Workers - Hawai'i Chapter, The Queen's Health



Systems, Hawai'i Association of Professional Nurses, and four individuals. Your Committee received comments on this measure from the Department of Taxation and one individual.

Your Committee finds that there is a need for greater access to health care in the State, especially in rural communities and on the neighbor islands. Because there is a well-documented physician shortage in the State, authorizing the readily-available advanced practice registered nurse (APRN) workforce to engage in activities within their scope of practice and in accordance with their education, training, and licensure provides a reasonable solution to this problem.

Your Committee recognizes the testimony of the Hawai'i State Center for Nursing, which expressed concerns that the definition of "advanced practice registered nurse" currently in the measure is too restrictive and would unnecessarily limit the number of APRNs affected by the measure. The Hawaii State Center for Nursing also proposed an amendment that would adopt a provision that was passed in the Federal Coronavirus, Aid, Relief and Economic Security (CARES) Act authorizing APRNs to order home health care for Medicare patients.

Therefore, your Committee has amended this measure by:

- (1) Including a provision authorizing APRNs to order home health care for Medicare patients in conformance with the CARES Act;
- (2) Removing from the definition of "advanced practice registered nurse," the requirement that an APRN must hold an accredited national certification in an advanced practice registered nurse psychiatric specialization;
- (3) Amending section 1 to reflect its amended purpose;
- (4) Making it effective upon its approval; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your



Committee is in accord with the intent and purpose of H.B. No. 302, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 302, H.D. 1, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

Respectfully submitted on
behalf of the members of the
Committee on Health,



JARRETT KEOHOKALOLE, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:* HB 302 HDI	Committee Referral: HTH, CPN	Date: 3-17-2021
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOLE, Jarrett (C)	✓			
BAKER, Rosalyn (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt	✓			
TOTAL	5	—	—	—

Recommendation:
 Adopted
 Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes