
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 physician
2 assistants, licensed practical nurses, and registered nurses
3 provide valuable medical care to patients under the orders of
4 licensed physicians. Licensed practical nurses and registered
5 nurses currently must use reasonable judgment in carrying out
6 the prescribed medical orders of a licensed dentist, medical
7 doctor, osteopathic physician, or podiatrist, or the orders of
8 an advanced practice registered nurse. The legislature also
9 finds that the relevant statutory language fails to explain
10 whether licensed practical nurses and registered nurses are
11 required to administer orders given by physician assistants.
12 That lack of clarity has led to confusion between hospital
13 administrators and nurses when physician assistants write or
14 give verbal orders in a hospital setting.

15 The purpose of this Act is to clarify that licensed
16 practical nurses and registered nurses are required to carry out
17 the orders of a licensed physician assistant practicing with



1 physician supervision and acting as an agent of the supervising
2 physician.

3 SECTION 2. Section 457-2, Hawaii Revised Statutes, is
4 amended by amending the definitions of "the practice of nursing
5 as a licensed practical nurse" and "the practice of nursing as a
6 registered nurse" to read as follows:

7 "The practice of nursing as a licensed practical nurse"
8 means the performance of those acts commensurate with the
9 required educational preparation and demonstrated competency of
10 the individual, whereby the individual shall be accountable and
11 responsible to the consumer for the quality of nursing care
12 rendered. The foregoing may include, but shall not be limited
13 to: implementation of basic nursing procedures in the plan of
14 care; observing and caring for individuals at all levels of the
15 health spectrum, giving counsel and acting to safeguard life and
16 health and functioning as a part of the health care team, under
17 the direction of a dentist, physician, osteopathic physician,
18 registered nurse, or podiatrist licensed in accordance with
19 chapter 448, 453, 457, or 463E[+], or under the orders of a
20 physician assistant licensed pursuant to chapter 453, practicing
21 with physician supervision as required by chapter 453, and
22 acting as the agent of the supervising physician; administration



1 of treatment and medication as prescribed; promotion of health
2 maintenance of individuals, families, or groups; or teaching and
3 supervision of auxiliary personnel.

4 "The practice of nursing as a registered nurse" means the
5 performance of professional services commensurate with the
6 educational preparation and demonstrated competency of the
7 individual having specialized knowledge, judgment, and skill
8 based on the principles of the biological, physical, behavioral,
9 and sociological sciences and nursing theory, whereby the
10 individual shall be accountable and responsible to the consumer
11 for the quality of nursing care rendered. The foregoing may
12 include but shall not be limited to observation, assessment,
13 development, implementation, and evaluation of a plan of care,
14 health counseling, supervision and teaching of other personnel,
15 and teaching of individuals, families, and groups in any stage
16 of health or illness; administration, supervision, coordination,
17 delegation, and evaluation of nursing practice; provision of
18 health care to the patient in collaboration with other members
19 of the health care team as autonomous health care professionals
20 providing the nursing component of health care; or use of
21 reasonable judgment in carrying out prescribed medical orders of
22 a licensed dentist, physician, osteopathic physician, or



1 podiatrist licensed in accordance with chapter 448, 453, or 463E
 2 [~~or the~~]; orders of an advanced practice registered nurse
 3 recognized in accordance with this chapter[-]; or the orders of
 4 a physician assistant licensed pursuant to chapter 453,
 5 practicing with physician supervision as required by chapter
 6 453, and acting as the agent of the supervising physician."

7 SECTION 3. Section 457-8.5, Hawaii Revised Statutes, is
 8 amended by amending subsection (a) to read as follows:

9 "(a) Effective October 1, 2009, the board shall grant
 10 recognition as an advanced practice registered nurse to a nurse
 11 who has:

12 (1) A current, unencumbered license as a registered nurse
 13 in this State;

14 (2) An unencumbered license as a registered nurse in all
 15 other states in which the nurse has a current and
 16 active license;

17 (3) An unencumbered recognition as an advanced practice
 18 registered nurse or similar designation in all other
 19 states in which the nurse has a current and active
 20 recognition as an advanced practice registered nurse;

21 (4) Completed an accredited graduate-level education
 22 program [~~leading to a master's degree as a certified~~



1 ~~registered nurse anesthetist, a nurse midwife, a~~
2 ~~clinical nurse specialist, or a nurse practitioner,]~~
3 preparing the nurse for one of the four recognized
4 advanced practice registered nurse roles;

5 (5) A current, unencumbered certification of having passed
6 a national certification examination that measures
7 role and population-focused competencies and is
8 recognized by the board;

9 (6) Maintained continued competencies through
10 recertification in role and population-focused
11 competencies through a national certification program
12 recognized by the board;

13 (7) Acquired advanced clinical knowledge and skills
14 preparing the nurse to provide direct care to patients
15 through a significant educational and practical
16 concentration on the direct care of patients;

17 (8) Demonstrated a greater breadth of knowledge, a greater
18 synthesis of data, greater complexity of skills and
19 interventions, and greater role autonomy than
20 demonstrated by a registered nurse;

21 (9) Been educationally prepared to assume responsibility
22 and accountability for health promotion and



1 maintenance and to assess, diagnose, and manage
2 patient problems through the use and prescription of
3 pharmacologic and non-pharmacologic interventions;
4 (10) Acquired clinical experience of sufficient depth and
5 breadth to reflect the intended license; and
6 (11) Paid the appropriate fees."

7 SECTION 4. This Act does not affect rights and duties that
8 matured, penalties that were incurred, and proceedings that were
9 begun before its effective date.

10 SECTION 5. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 6. This Act shall take effect on July 1, 2050.



Report Title:

Licensed Practical Nurse; Registered Nurse; Physician Assistant

Description:

Amends the definitions of "the practice of nursing as a licensed practical nurse" and "the practice of nursing as a registered nurse" to include carrying out the orders of a licensed physician assistant practicing with physician supervision, and acting as an agent of the supervising physician. Modifies the formal educational qualifications of an advanced practice registered nurse. Effective July 1, 2050. (SB2103 HD2)

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