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# A BILL FOR AN ACT

RELATING TO NURSES.

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

1           SECTION 1. The legislature finds that the requirement of  
2 all candidates for an initial nurse license to pass a national  
3 examination has resulted in the consistent practice of quality  
4 health care services administered to the public. This  
5 examination safeguards the quality of health care practices by  
6 ensuring that each candidate possesses the minimum competencies  
7 necessary for a newly licensed, entry-level registered or  
8 practical nurse to perform work safely and effectively. Despite  
9 the clear benefits of this safeguard, continuing competency  
10 requirements are not currently instituted for nurse licensure  
11 renewal applications in the State.

12           The legislature also finds that in today's health care  
13 environment, knowledge of the latest developments in the  
14 profession is a crucial means by which nursing duties are safely  
15 and effectively fulfilled. New health care systems are emerging  
16 and redoubling the challenge of licensure boards to assure  
17 consumers that licensed nurses shall remain competent for the  
18 duration of their practice. The legislature further finds the



1 most efficient means to ensure patient safety is to require  
2 Hawaii-licensed nurses to complete continuing competency  
3 requirements prior to any application for license renewal,  
4 restoration, or restatement.

5 Accordingly, the purpose of this Act is to require all non-  
6 exempt licensed registered nurses and licensed practical nurses  
7 to complete continuing competency requirements prior to the  
8 submission of an application for license renewal, restoration,  
9 or restatement, beginning on July 1, 2017.

10 SECTION 2. Chapter 457, Hawaii Revised Statutes, is  
11 amended by adding two new sections to be appropriately  
12 designated and to read as follows:

13 **"§457- Continuing competency requirements; exemptions.**

14 (a) Beginning July 1, 2017, with the renewal of the licensing  
15 biennium, and every biennial renewal thereafter, each registered  
16 nurse and practical nurse licensee shall have completed thirty  
17 contact hours of learning activity options recognized by the  
18 board within the two-year period preceding the renewal date, in  
19 addition to the requirements of section 457-9.

20 (b) The following nurses shall be exempt from the  
21 continuing competency requirements:



1       (1) Registered nurses licensed in this State who also  
2       maintain active advanced practice registered nurse  
3       licenses in accordance with this chapter and have a  
4       current national certification approved by the board;

5       (2) Registered nurses licensed in this State who also  
6       maintain current national certification, approved by  
7       the board, in their practice role; or

8       (3) A licensee who graduated or completed pre-licensure  
9       requirements from an accredited nursing program  
10       recognized by the board within twelve months prior to  
11       the renewal date of the licensee's first license  
12       renewal period.

13       If a licensee who graduated or completed pre-licensure  
14       requirements from an accredited nursing program more than twelve  
15       months but less than two years prior to the renewal date, the  
16       registered nurse or practical nurse licensee shall be required  
17       to obtain fifteen contact hours of learning activity options  
18       recognized by the board from an approved provider prior to the  
19       first renewal period.

20       (c) The board may extend the deadline for compliance with  
21       the continuing competency requirements and shall consider each

1 case on an individual basis. Prior to the expiration of the  
2 license, a nurse licensee may submit a written request for an  
3 extension and any documentation requested by the board to  
4 substantiate the reason for the extension of the deadline for  
5 compliance with the continuing competency requirements of this  
6 section, based on the following circumstances:

7 (1) Illness, as certified by a physician or osteopathic  
8 physician licensed under chapter 453 or advanced  
9 practice registered nurse licensed under chapter 457  
10 in the jurisdiction in which the licensee was treated;  
11 or

12 (2) Military service under extended active duty with the  
13 armed forces of the United States.

14 (d) Each licensee shall maintain copies of the licensee's  
15 continuing competency records for the past four years or two  
16 previous bienniums.

17 (e) Upon application for license renewal, restoration, or  
18 reinstatement, each licensee shall have complied with and attest  
19 to completion of learning activity options recognized by the  
20 board pursuant to subsection (a) during the two years preceding  
21 the application for license renewal, restoration, or



1 reinstatement and shall be prepared to submit evidence of  
2 completion if requested by the board.

3 (f) The board may conduct an audit to determine compliance  
4 with the continuing competency requirement. The board shall  
5 provide written notice of an audit to all licensees selected for  
6 audit. Within sixty days of notification, the licensee shall  
7 provide the board with documentation verifying compliance with  
8 continuing competency requirements.

9 **§457- Learning activity options.** (a) The successful  
10 completion of one of the following shall meet the learning  
11 activity options requirements for continuing competency:

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 credits of  
18 post-licensure academic education related to nursing  
19 practice from an accredited nursing program;

20 (5) Participation as a preceptor, for at least one nursing  
21 student or employee undergoing orientation for at



1           least one hundred twenty hours, in a one-to-one  
2           relationship; provided that the licensee may precept  
3           more than one student or employee during the one  
4           hundred twenty hours and shall be evidenced by  
5           documentation of hours completed and objectives of the  
6           preceptorship by the institution supervising the  
7           student;

8           (6) Completion as principal or co-principal investigator  
9           of a nursing research or evidence-based practice  
10           project;

11           (7) Authoring or coauthoring a peer reviewed published  
12           nursing or health-related article, book, or book  
13           chapter;

14           (8) Developing and conducting a nursing education  
15           presentation or presentations totaling a minimum of  
16           five contact units;

17           (9) Completion of a board-recognized nurse residency  
18           program; or

19           (10) A similar type of learning activity option; provided  
20           that the type of activity shall be recognized by the  
21           board."



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

4 "Competency" means the ability of a nurse to integrate  
5 knowledge, skills, judgment and personal attributes to practice  
6 safely and ethically in the professional nursing position and in  
7 accordance with the scope of nationally recognized nursing  
8 practices.

9 "Contact hour" means the same as section 16-89-2, Hawaii  
10 Administrative Rules.

11 "Continuing competency" means the long-term educational and  
12 professional process by which an individual undertakes and  
13 documents with verifiable evidence a personal learning plan that  
14 encompasses a periodic self-assessment of personal strengths and  
15 weaknesses as present in the individual's practice as a nurse as  
16 well as a commitment to furthering the individual's professional  
17 knowledge relating to the nursing field."

18 SECTION 4. Section 457-12, Hawaii Revised Statutes, is  
19 amended by amending subsection (a) to read as follows:

20 "(a) In addition to any other actions authorized by law,  
21 the board shall have the power to deny, revoke, limit, or



1 suspend any license to practice nursing as a registered nurse or  
2 as a licensed practical nurse applied for or issued by the board  
3 in accordance with this chapter, and to fine or to otherwise  
4 discipline a licensee for any cause authorized by law, including  
5 but not limited to the following:

- 6 (1) Fraud or deceit in procuring or attempting to procure  
7 a license to practice nursing as a registered nurse or  
8 as a licensed practical nurse;
- 9 (2) Gross immorality;
- 10 (3) Unfitness or incompetence by reason of negligence,  
11 habits, or other causes;
- 12 (4) Habitual intemperance, addiction to, or dependency on  
13 alcohol or other habit-forming substances;
- 14 (5) Mental incompetence;
- 15 (6) Unprofessional conduct as defined by the board in  
16 accordance with its own rules;
- 17 (7) Wilful or repeated violation of any of the provisions  
18 of this chapter or any rule adopted by the board;
- 19 (8) Revocation, suspension, limitation, or other  
20 disciplinary action by another state of a nursing  
21 license for reasons as provided in this section;





- 1           (9) Conviction, whether by nolo contendere or otherwise,  
2           of a penal offense substantially related to the  
3           qualifications, functions, or duties of a nurse,  
4           notwithstanding any statutory provision to the  
5           contrary;
- 6           (10) Failure to report to the board any disciplinary action  
7           taken against the licensee in another jurisdiction  
8           within thirty days after the disciplinary action  
9           becomes final;
- 10          (11) Submitting to or filing with the board any notice,  
11          statement, or other document required under this  
12          chapter, which is false or untrue or contains any  
13          material misstatement of fact[+], including a false  
14          attestation of compliance with continuing competency  
15          requirements; or
- 16          (12) Violation of the conditions or limitations upon which  
17          any license is issued."

18           SECTION 5. Statutory material to be repealed is bracketed  
19 and stricken. New statutory material is underscored.

20           SECTION 6. This Act shall take effect upon its approval.



**Report Title:**

Practical Nurses; Registered Nurses; Nursing Licensure;  
Continuing Competency Requirements

**Description:**

Beginning with the July 1, 2017, licensing biennium, requires licensed registered nurses and licensed practical nurses to submit evidence of completed continuing competency requirements prior to the renewal of the license. (SD1)

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

