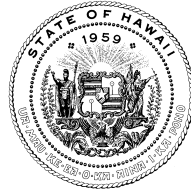


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BOARD OF NURSING

STATE OF HAWAII
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

P.O. Box 3469
HONOLULU, HAWAII 96801
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July 2016

TO: All Hawaii Licensed LPNs, RNs and APRNs
FROM: The Hawaii State Board of Nursing
RE: 2016 Legislation

The following nursing related bills were approved by Governor Ige and enacted into law:

Act 8, SLH 2016 Relating to Board Member Terms for the Board of Nursing and the Board of Speech Pathology and Audiology

Approved: 4/19/2016

Effective: 4/19/2016

Purpose: Amend the length of the terms of the Board of Nursing from three to four years. This will make the board terms consistent with other board member terms and also allow for longevity and continuity for board members to learn and acclimate themselves in order to become effective board members.

Act 18, SLH 2016 Relating to Nursing

Approved: 4/26/2016

Effective: 4/26/2016

Purpose: Allow the Board of Nursing to share nurse license information with Nursys, a coordinated licensure information system under the National Council of State Boards of Nursing. Nursys is a national database for nurse license and disciplinary action information.

Act 92, SLH 2016 Relating to the Joint Formulary Advisory Committee

Approved: 6/21/2016

Effective: 6/21/2016

Purpose: Repeal the Joint Formulary Advisory Committee (“JFAC”) that was established to recommend the applicable formulary for APRNs with prescriptive authority. The legislature determined that the Board of Nursing already has the authority to determine the applicable formulary or exclusionary formulary and therefore, the JFAC is obsolete and unnecessary.

Act 183, SLH 2016 Relating to Advance Practice Registered Nurses

Approved: July 1, 2016

Effective: July 1, 2016

Purpose: Improve patient access to medical care by clarifying the circumstances under which APRNs may practice to the fullest extent of their training and education. The following state statutes were amended:

- HRS 328-1 – Definition of “Out-of-state practitioner” was amended to include APRNs;
- HRS 334-59 – Includes APRNs, along with psychiatrist and psychologist, who may perform an emergency examination of a patient to diagnose the presence of absence of a mental disorder, assess the risk that the patient may be dangerous to self or others, and assess whether or not the patient needs to be hospitalized;
- HRS 338-9 – Allows APRNs to certify the cause of death; see *below*
- HRS 338-10 – Allows APRNs to notify the department of health of a late determination of the cause of death; see *below*
- HRS 386-1 – Amends the definition of “Health care provider” to include APRNs;
- HRS 457-8.6 – Clarifies authority of APRNs with prescriptive authority to dispense non-controlled substances to patients under their care; and
- HRS 461-1 – Includes APRNs with prescriptive authority as a practitioner with whom a pharmacist may enter into a collaborative agreement with.

Death certificates fall under the Department of Health, Office of Health Status Monitoring (“DOH”). If you would like to certify the cause of death, please contact Leatrice Tsubota at DOH via email at leatrice.tsubota@doh.hawaii.gov.

Act 226, SLH 2016 Relating to Telehealth

Approve: 7/7/2016

Effective: 1/1/2017

Purpose: Includes APRNs under the definition of “Health care provider” in regards to coverage for telehealth.

Act 230, SLH 2016 Relating to Medical Marijuana

Approved: 7/11/2016

Effective: 7/11/2016

Purpose: As it pertains to nurses only, allows APRNs with prescriptive authority and registered with the Department of Public Safety, Narcotics Enforcement Division to qualify their patient for medical marijuana.

The Board is currently amending the November 2011 Exclusionary Formulary List. But for more information on Hawaii Medical Marijuana Program, you may go to the following web page under the Hawaii State Department of Health:

health.hawaii.gov/medicalmarijuana