

BOARD OF NURSING

Professional and Vocational Licensing Division
Department of Commerce and Consumer Affairs
State of Hawaii

MINUTES OF MEETING

The agenda for this meeting was filed with the Office of the Lieutenant Governor as required by Section 92-7(b), Hawaii Revised Statutes (“HRS”).

Date: Thursday, May 13, 2021

Time: 9:00 a.m. (or immediately following the Education Committee meeting)

Place: Virtual: ZOOM link: <https://dcca-hawaii-gov.zoom.us/j/93004513583>
ZOOM Phone Number: (346) 248-7799
Meeting ID: 930 0451 3583

Members Present: Carrie Oliveira, Chair
Olivia Kim, BSN, BS, RN, LPN, NHA, Vice Chair
Karen Boyer, RN, MS, FNP
Jomel Duldulao, Public Member
Judy Kodama, MSN, MBA, RN, CNML
Tammie Napoleon, DNP, APRN, PPCNP-BC
Benjamin Ramos, RN
Amy Stone Murai, APRN

Members Excused: Katharyn Daub, MNEd, EdD, RN

Staff Present: Lee Ann Teshima, Executive Officer (“EO”)
Chelsea Fukunaga, EO
Shari Wong, Deputy Attorney General (“DAG”)
Jenny Yam, EO
Rochelle Araki, EO
Faith Nishimura, Secretary
Keaweamahionalani Y. Hurst, Secretary
Christine V. Dela Cruz, Office Assistant
Stephanie Karger, Office Assistant

Guests: Linda Beechinor, Hawaii American Nurses Association
Mary Boland, Dean, School of Nursing and Dental Hygiene, University of Hawaii-Manoa
Rhoberta Haley, Dean and Professor, School of Nursing and Health Professions,
Chaminade University of Honolulu
Bradley Kuo, Hawaii Association of Professional Nurses
Laura Reichhardt, Hawaii Center for Nursing
Pamela Smith, Hawaii Pacific University
Audrey Torres, Adventist Health Castle
Lisa Rose, Adventist Health Castle
Dabney Wilkerson

Virtual Meeting Instructions: The Chair provided information on internet and phone access for today’s virtual meeting and a short video regarding virtual meetings was played for attendees.

For purposes of this virtual meeting, the Chair will take roll call of the Board members to establish quorum and for motions that require a vote of the Board members.

Call to Order: The Chair took roll call to establish quorum and excused Ms. Daub from today's meeting.
Quorum was established and the Chair called the meeting to order at 9:06 a.m.

Chair's Report: **Announcements**

The Chair had no announcements.

The Chair stated that the next agenda item is the approval of the minutes and asked if anyone attending wanted to address the Board.

Staff reported that no one raised their hand.

Approval of the Minutes of the April 1, 2021 Meeting

The Chair called for a motion in regard to the minutes of the April 1, 2021 meeting.

Upon a motion by Dr. Napoleon, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the minutes of the April 1, 2021 meeting.

Presentation of Certificate of Appreciation to Mary Boland, Dean, School of Nursing and Dental Hygiene, University of Hawai'i at Manoa

This agenda item was deferred.

University of Hawai'i at Hilo Remedial/Refresher Course Offering – Summer 2021

EO Teshima reported on the progress of the UH@Hilo remedial/refresher course offering.

Ms. Stone Murai asked if the curriculum for the remedial and refresher course was the same being that there is an individual enrolled who is taking the same course offering as a refresher course and how can we track the competency of these individuals who are taking the same course as a remedial vs. refresher course.

The EO Teshima stated that we don't track individuals who are required to take a refresher course and can only track the individuals who are taking the course as a remedial course due to not being able to pass the NCLEX by tracking their results of the NCLEX once they complete the remedial course. She stated that she will be consulting with Ms. Daub and Ms. Reichardt on providing a "report" of the individuals taking this first Board-approved course offering.

At 9:11 a.m. Ms. Kodama joined the meeting.

Executive Officer's Report:

2021 Legislature – Bill Status Reports

The EO reported on the status of the following bills/resolutions:

HB 576, HD3 – Relating to Health Care

Authorizes advanced practice registered nurses to perform medication or aspiration abortions. This bill was approved by the Governor on 4/12/2021, Act 003, SLH 2021, and was effective upon approval.

HB 302, HD1, SD2 – Relating to Advanced Practice Registered Nurses

Authorizes advanced practice registered nurses to order, assess, and certify home health care eligibility for Medicare beneficiaries. Authorizes advanced practice registered nurses to certify whether a person is totally disabled under the state income tax code. Authorizes advanced practice registered nurses to make capacity determinations. Adds advanced practice registered nurses as primary providers in advance mental health care directives. (SD2)

EO Teshima reported that this measure did not advance forward this session.

HCR 123, HD1, SD2 – Requesting the University of Hawaii School of Nursing and Dental Hygiene to Conduct an Analysis of Advanced Practice Registered Nurses

Working Group; Advanced Practice Registered Nurses; Health Care Gaps; Board of Nursing; Hawaii Medical Board

EO Teshima reported that although there was not a concurrent Senate resolution for this House resolution, we may not be “obligated” to perform the tasks associated with this resolution, however, in conjunction with the HSCFN, we will be attempting to address some of the issues included in the resolution.

Ms. Reichhardt raised her hand and was promoted to a panelist.

Ms. Reichhardt reported that she would like to get the community partners together to discuss this past legislative session to try to address the concerns raised by some of the Legislators including realigning the APRN scope of practice and also offering a House and Senate info briefing.

APRN Exclusionary Formulary – Discussion on Proposed Amendments

EO Teshima reported that based on the discussion at the April meeting, she will continue to review and work on proposed amendments to the exclusionary formulary and welcomed any information to substantiate removing any drugs from the exclusionary formulary. She stated that she did receive information for Washington and another state Board of Nursing and is still doing research.

Ms. Stone Murai reported that the Joint Formulary Advisory Committee approved the exclusionary formulary back in January 1998 and Mr. Kamita, Administrator for the Narcotics Enforcement Division at that time expressed concerns with APRNs prescribing controlled substances and off-label or improper use especially for weight loss, anti-aging and sleep clinics.

The Chair stated that this appears to preclude the full APRN practice as at that time APRNs had to have a collegial agreement with a licensed physician for prescriptive authority.

Ms. Stone Murai stated that in 2006, the APRNs scope of practice was re-written.

EO Teshima asked the DAG if the Board had to go through the rules adoption process to amend the Exclusionary Formulary that is attached as an Exhibit to HAR Chapter 89.

The DAG said yes.

Chair's Report: **Presentation of Certificate of Appreciation to Mary Boland, Dean, School of Nursing and Dental Hygiene, University of Hawai'i at Manoa**

At this time, the Chair wanted to welcome Dean Boland and present her with a Certificate of Appreciation as she will be officially retiring next month.

The following individuals provided oral testimony in honor of Dean Boland:
The Chair, EO Teshima, Ms. Boyer, Ms. Smith, and Ms. Torres.

The Chair announced that the next agenda items under Correspondence and asked if anyone attending wanted to address the Board.

Staff reported that no one raised their hand.

At 10:12 a.m., Ms. Boyer left the meeting due to technical issues.

Correspondence: **Wisconsin Hospital Replaces all Anesthesiologists with CRNAs**

The Chair deferred to Ms. Stone Murai.

Ms. Stone Murai reported on an article on a hospital in Wisconsin that has replaced all of its anesthesiologists with CRNAs. She stated that it there appears to be more recognition of APRNs to practice especially during the COVID pandemic, however, she is concerned that after the emergency, things will go back to "normal". She also mentioned that the State can "opt in" with CMS to allow CRNAs to practice within their scope and without supervision and that this goes as far back as when Lingle was the Governor but currently, Hawaii has not opted in.

OCOCA FAQs

EO Teshima reported that SB 839 did not proceed through the legislature this year that would among other things include APRNs in addition to physicians, to practice medical aid in dying in accordance with their scope of practice and prescribing authority; and authorize psychiatric mental health nurse practitioners and clinic nurse specialists, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient.

However, the Department of Health, Office of Planning Policy and Program Development has posted information on their web page.

The Chair announced the next agenda item as the 2021 Renewals and asked if anyone attending wanted to address the Board.

Staff reported that Ms. Torres and Ms. Rose raised their hands. Both were promoted to a panelist to address the Board.

2021 Renewal: **Continuing Competency Requirement(s)**

Adventist Health Castle – Request for Recognition of Nurse Residency Program

Ms. Torres described their nurse residency program at Adventist Health Castle that is a year long program providing nurses with simulated skills, best patient care practices by helping the resident apply the concepts of evidence-based practice and identify its importance in the delivery of safe, high quality patient care.

Ms. Rose stated that their nurse residency program provides monthly education for the first year with a focus on self-resiliency, conflict resolution, managing the care of the changing status of patients, stable CV patient care, end-of-life care, medication management, etc. The focal point of the program is around the concept of “teach back” as an effective way to know the patient understands their results, discharge teaching and patient medication education.

After further discussion, upon a motion by the Chair, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the nurse residency program at Adventist Health Castle as a learning activity option for continuing competency.

At 10:30 a.m., Ms. Boyer rejoined the meeting.

Continuing Education Courses for License/Prescriptive Authority and Renewal

2021 Renewal Requirements/FAQs

EO Teshima reported that the 2021 renewal updates and FAQs have been posted on the Board's web page that includes FAQs addressing some of the issues regarding the “new” online renewal process.

The Chair announced that the next agenda item and asked that Mr. Reichhardt, Mr. Kuo and Ms. Beechinor be promoted to panelist.

Reports:

Hawaii State Center for Nursing – Laura Reichhardt, Executive Director

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Ms. Reichhardt reported that this renewal period there is a sharp decline in response to the workforce survey which they have been informed is due to the fact that the survey link was not available.

EO Teshima reported that she was informed that the survey link was available at both the beginning and the end of the renewal process but would inform PVL's IT people.

Ms. Reichhardt stated that if there is insufficient response to the survey they will not be able to run a report and that she will be reaching out to PVL to request a mailing list to contact nurses directly, reach out to nursing stakeholders and other mechanisms to inform nurses to complete the workforce survey if they were unable to do so when they renewed online.

Ms. Reichhardt also reported on the HCR 150, Urging the DCCA to Revisit Title 16, Chapter 89, of the HAR to Prohibit registered Nurses from Delegating the Interpretation of Diagnostic Laboratory Results to Unlicensed Assistive Personnel and wanted to engage in conversation due to what appears to be the lack of understanding of other roles and delegation to UAPs.

Ms. Reichhardt also congratulated everyone on May being Nurses Month and reported on the webinars they have and currently offering for CE credit as an approved CE provider, including the upcoming webinars for APRNs.

Lastly, Ms. Reichardt reported on a Civil Beat Article on LTC Facility Closure that appears to be based on UAPs providing medications and the lack of training/supervision by a nurse.

Hawai'i American Nurses Association – Linda Beechinor, Executive Director

Ms. Beechinor reported on the ANA Issue Brief – Nurse Licensure Compact article that 34 U.S. states and 1 territory, Guam, are currently participating in the NLC. The article expresses concerns in regard to the nursing workforce, variations between jurisdictions beyond the uniform license requirements, telehealth, military spouses, sovereignty and BON resources.

Ms. Beechinor stated that she will let their members know about the workforce survey.

Hawai'i Association of Professional Nurses – Bradley Kuo, Legislative Coordinator

Mr. Kuo reported that he would like to participate in the APRN working group to discuss how to “re-educate” some of the Legislators regarding the APRN scope of practice.

Ms. Beechinor concurred with Mr. Kuo.

The Chair reported that for the next agenda item, the Board will be going into executive session to discuss applicants for nurse license by exam or endorsement and asked if there was anyone attending wishing to provide testimony on any of the applications to please raise your hand now.

Staff reported that Ms. Wilkerson raised their hand.

EO Teshima informed Ms. Wilkerson that staff would call her when the Board was ready to discuss her application.

The Chair asked for a motion to move into executive session may I have a motion to move into executive session in accordance with HRS §92-4 and §92-5(a)(1) and (4) “To consider and evaluate personal information relating to individuals applying for nurse licensure;” and “To consult with the Board’s attorney on questions and issues pertaining to the Board’s powers, duties, privileges, immunities, and liabilities;”

Executive Session:

At 10:42 a.m., upon a motion by the Chair, seconded by Ms. Kodama, it was voted on and unanimously carried to move into Executive Session in accordance with HRS, 92-5(a) (1) and (4), “To consider and evaluate personal information relating to individuals applying for nurse licensure;” and “To consult with the board’s attorney on questions and issues pertaining to the board’s powers, duties, privileges, immunities, and liabilities”.

At 12:33 p.m. upon a motion by Ms. Boyer, seconded by Mr. Duldulao, it was voted on and unanimously carried to move out of executive session.

Applications:

Ratification Lists

Upon a motion by the Chair, seconded by Mr. Duldulao, it was voted on and unanimously carried to approve the following ratification lists:

LPNs, license numbers 20095 – 20122 (27);
RNs, license numbers 100532 – 100776 (244); and
APRNs and APRNs with prescriptive authority

Registered Nurses

The Chair called for a motion for the RN license applications.

Upon a motion by Ms. Boyer, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the following application for RN license:

**Vanessa T. Forqurean
Ella Moncur**

Upon a motion by Ms. Boyer, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the following applications for RN and APRN license with conditions pursuant to HRS §436B-19(8):

Dabney Wilkerson

The Chair announced that the next agenda item was Chapter 91, HRS – Adjudicatory Matters and asked if anyone attending wanted to address the Board.

Staff reported that no one raised their hand.

Chapter 91, HRS – Adjudicatory Matters

The Chair moved to approve the following adjudicatory matters:

In the Matter of the License to Practice Nursing of **David B. Jones, RN; RNS 2019-37-L**; Hearings Officer's Findings of Fact, Conclusions of Law and Recommended Order; Board's Final Order

In the Matter of the License to Practice Nursing of **Corazon Kobashigawa, aka Corazon Saldares, RN; RNS 2017-34-L & RNS 2018-27-L**; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

In the Matter of the License to Practice Nursing of **Wendi Gonzales, R.N.; RNS 2021-211-L**; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order

It was seconded by Ms. Stone Murai, voted on with all members voting yes. The motion carried.

There being no further agenda items, the Chair announced the next meeting and asked if everyone was able to attend.

No one stated that they would not be able to attend.

Next Meeting:

Thursday, June 3, 2021
8:30 a.m.
Virtual

Adjournment:

With no further business to discuss, the Chair adjourned the meeting at 12:42 p.m.

Taken by:

/s/ Lee Ann Teshima
Lee Ann Teshima
Executive Officer

LAT

5/24/21

[] Minutes approved as is.

[X] Minutes approved with changes; see minutes of June 3, 2021