

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, September 2, 2021

Time: 9:00 a.m.

Place: Virtual: ZOOM link: <https://dcca-hawaii-gov.zoom.us/j/96649999240>
ZOOM Phone Number: (669) 900 6833
Meeting ID: 966 4999 9240

Members Present: Carrie Oliveira, Chair
Olivia Kim, BSN, BS, RN, LPN, NHA, Vice Chair
Karen Boyer, RN, MS, FNP
Katharyn Daub, MNEd, EdD, RN
Jomel Duldulao, Public Member
Judy Kodama, MSN, MBA, RN, CNML
Benjamin Ramos, RN
Amy Stone Murai, APRN

Members Excused: Tammie Napoleon, DNP, APRN, PPCNP-BC

Staff Present: Lee Ann Teshima, Executive Officer (“EO Teshima”)
Chelsea Fukunaga, EO (“EO Fukunaga”)
Shari Wong, Deputy Attorney General (“DAG”)
Marc Yoshimura, Secretary
Leanne Abe, Secretary, Tech Support
LaJoy Lindsey, Secretary, Tech Support

Guests: Linda Beechinor, Hawai‘i American Nurses Association
Bradley Kuo, Legislative Coordinator, Hawai‘i Association of Professional Nurses
Linda Reichhardt, Executive Director, Hawaii State Center for Nursing
Rhoberta Haley
Dr. Poki‘i Balaz
Deidra Andrews
Justin Hilgenberg
Monique Battle
Landon Murata

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: Quorum was established and the Chair called the meeting to order at 9:04 a.m.

Chair's Report: **Announcements**

The Chair reported on her and EO Teshima's attendance at the virtual NCSBN Annual meeting August 18-19, 2021.

The Chair and EO Teshima both expressed their admiration for guest speaker, Presidential Historian, Doris Kearns Goodwin.

Another highlight were revisions shared to the Model Act and Rules, which focused on information discussed in recent board meetings, such as nursing delegation. The revisions of acts and rules will be seen in our own statutes, with respect to nursing scope of practice, and notes it is important for board members to be aware of once NCSBN makes available.

The Chair announced 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 August 5, 2021 Meeting

The Chair asked if there is any discussion/corrections to the minutes of the August 5, 2021 meeting.

There being none, upon a motion by Ms. Stone Murai, seconded by Mr. Duldulao, it was voted on and unanimously carried to approve the minutes of the August 5, 2021 meeting as circulated.

The Chair announced the next agenda and asked if there was anyone attending who wanted to address the Board.

Staff reported that Ms. Deidra Andrews raised her hand.

The Chair asked staff to promote her to a panelist.

Ms. Andrews stated that she was an applicant on today's agenda and was wondering when she would be available to address the Board.

EO Teshima stated that the applications are towards the end of the agenda but also informed the Chair and Board members that they may take the agenda out of order and consider the applications now.

The Chair stated that would be best and asked for a motion 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".

Executive Session: At 9:06 a.m., upon a motion by Mr. Duldulao, seconded by Ms. Daub, it was voted on and unanimously carried to move into executive session.

The Board resumed the meeting at 9:36 a.m. after coming out of executive session.

Applications:

Ratification Lists

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

LPNs, license numbers 20169 – 20184 (15);
RNs, license numbers 101540 – 101915 (375); and
APRNs and APRNs with prescriptive authority

Applications for Licensed Practical Nurses, Registered Nurses and Advanced Practice Registered Nurses

The Chair called for a motion for the applications.

Upon a motion by the Vice Chair, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the following applications for LPN, RN and APRN license(s):

Dorothy Marie Archer
Deidra Shanee Andrews
Blanca Dawn Navarro
Brandon C. Thomely
Justin Elijah Hilgenberg
Anne Elizabeth Hedger
Karina J. T. Zolp
Monique Battle

The Chair asked if anyone attending wanted to address the Board and that the Board just approved all of the applications.

Staff reported that Mr. Hilgenberg raised his hand.

The Chair agreed to promote Mr. Hilgenberg to a panelist.

Mr. Hilgenberg asked what the next step is after the Board approved his application.

EO Teshima confirmed that he is applying by exam, informing Mr. Hilgenberg that his application will be returned to the Licensing Branch; who will issue his approval letter so that he can register for the exam with Pearson Vue.

There being no further discussion, the Chair stated she will continue with the next agenda item, HRS Chapter 91, HRS, Adjudicatory Matters and asked if anyone attending wanted to address the Board on any of the adjudicatory matters.

Staff reported that no one raised their hand.

Chapter 91, HRS –
Adjudicatory Matters:

Upon a motion by the Chair, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the following adjudicatory matters:

In the Matter of the License to Practice Nursing of **Elizabeth Jane Kelly, R.N., RNS 2021-41-L**; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" – "2"; Declaration of Elizabeth Jane Kelly, R.N.

In the Matter of the License to Practice Nursing of **Jaclyn D. Lefebvre, R.N., RNS 2021-342-L**; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1" ; Declaration of Jaclyn D. Lefebvre, R.N.

At 9:43 a.m., the Chair announced that she was going back to the beginning of the agenda.

Executive Officer's
Report:

**APRN Exclusionary Formulary – Discussion on Proposed Amendments –
Continued from July 1, 2021 Meeting**

EO Teshima reported that she started to identify sections in HAR Chapter 89, the administrative rules to see what sections needed to be revised/amended but hasn't finished her review yet.

RN License Requirement for APRN Licensure

EO Teshima stated that this is merely for discussion and fact gathering only and no decision needs to be made at today's discussion. EO Teshima solicited the Board's opinion regarding the pros and cons of allowing a Hawaii APRN to maintain their APRN license without having to maintain their RN license. EO Teshima cited previous examples where past applications indicated that they only practiced as an APRN and did not require the use of their RN license except as part of the qualifications for an APRN license. EO Teshima stated that HRS §457-2.7 provides that practice as an APRN includes the RN scope of practice

She stated that she contacted NCSBN and was advised of the following information:

- Utah and Wyoming **do not** require an APRN to maintain their RN license and it is possible that another state or two allow for an APRN to choose whether to keep their RN license active;
- Maintaining an RN license is an element of the APRN Consensus model;
- The newly adopted Model Act and Rules also recommends RN licensure be maintained and it is in the definition of an APRN; and
- APRNs will need to maintain their RN license in order to obtain a RN multistate license.

The Chair shared the following thoughts:

- As provided information is consistent with the consensus model in alignment with the model rules and act, and APRN is an advanced practiced registered nurse, it seems odd that an APRN could opt not to have an RN license; and
- Over the course of any career, it is typical to place oneself in a niche, whether as an APRN or RN. However specialized a job or career may become, an APRN would be expected to possess the basic fundamentals and understandings to be an RN; which maintaining a RN license would indicate. The Chair indicated that she would not be inclined to allow those with APRN licenses not to have the option to not maintain their RN licenses

The Chair asked the Board if they would entertain APRNs not having to maintain their RN license.

Ms. Stone Murai questioned if there is a finance issue as having to maintain two licenses, and if this would affect staffing issues in Hawaii, should one choose to only maintain one license.

The Chair asked on difference between fees for APRN and RN licenses.

EO Teshima stated current fee for LPN/RN licensure, including the \$40 non-refundable application fee, is \$234. The current fee for APRN licensure is \$194, including the \$40 Center for Nursing fee. Renewal fee for APRNs is less than that for RNs.

EO Teshima iterated that the Board should be concerned with how this will affect patient safety and not necessarily the financial impact.

The Chair asked if there was anyone attending wishing to provide testimony on this agenda item.

Staff reported that Linda Beechinor raised her hand.

Linda Beechinor was promoted to panelist.

Ms. Beechinor stated that she feels strongly that RN licensure should be included as part of APRN licensure to avoid the creation of factions within the nursing community in Hawaii.

EO Teshima thanks Ms. Beechinor for her testimony.

Scope of Practice Decision Making Model - Update

EO Teshima reported that our totally awesome secretary Marc was browsing through some nursing journals and found Arkansas' decision making model.

The Arkansas' decision making model is slightly different than the NCSBN model which the Board previously adopted and that is posted on the Board's web page and asked whether the Board wanted to adopt and/or create their "own" decision making model based on the 2 versions.

EO Teshima asked the Vice Chair, Ms. Boyer, and Mr. Ramos to be part of a working group to create a decision making model specific to the Hawaii Nursing Board, to which they all agreed.

The Chair asked if there was anyone attending wishing to provide testimony on this agenda item.

Staff reported that no one raised their hand.

Prospective Candidates for RICO Nursing Advisory Committee Members (2022-2023 term)

EO Teshima reported that the identities of the RICO ACM should be kept confidential and that any "discussion" on any individuals listed or recommended additions to the list should be done in executive session. These individuals may be consulted when RICO receives a complaint/request for investigation and requires an "expert" opinion. Current Board members are not eligible to be on the advisory committee due to possible conflicts should the case come before the Board as an adjudicatory matter.

She asked the Board if there is any discussion on the prospective candidates. There was no discussion.

The Chair asked if there was anyone attending wishing to provide testimony on this agenda item.

Staff reported that no one raised their hand.

Upon a motion by Ms. Daub, seconded by Ms. Kodama, and unanimously carried to approve the prospective candidate list for the RICO Nursing Advisory Committee for the 2022-2023 term.

Report on Attendance at NCSBN Virtual Annual Meeting, August 18 – 19, 2021

Previously discussed under the Chair's Report.

Correspondence:

American Holistic Nurses Association

EO Teshima reported that the AHNA annually requests any updates to include/recognize holistic nursing practice in the NPA. Currently, there is nothing specific prohibiting this practice but the national certification is a Board-approved national certification that exempts a nurse from the continuing competency requirement for renewal of the license.

It was the consensus of the Board to respond to the AHNA as summarized by the EO.

The Chair asked if there was anyone attending wishing to provide testimony on this agenda item.

Staff reported that no one raised their hand.

2021 Renewal:

EO Teshima reported that we are still receiving restoration applications and have sent out over 300 applications thus far.

She wanted to remind nurses that in order to restore or reactivate a Hawaii nursing license, the nurse must meet both the criminal history check and submit proof of compliance with the continuing competency requirement.

The Chair asked if there was anyone attending wishing to provide testimony on this agenda item.

Staff reported that no one raised their hand.

Reports:

Hawaii State Center for Nursing – Laura Reichhardt, Executive Director

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Ms. Reichhardt reported:

- Nurses are feeling overtaxed, abandoned;
- Recognized all efforts of nurses during current surge by offering gratitude
- Thanked the Board for keeping the nursing profession safe, through safe regulations, advocating for nurses, and their appropriate roles;
- Concluded workforce survey at the end of July, and thanked EO Teshima for assisting with placing link for survey on renewal payment receipts, and website;

- Inquired for a list with number of nurses, in each license type (LPN, RN, APRN), who are eligible to renew their license and number of eligible nurses who actually renewed, which she will use to support determination of response rate which is reported with their survey
 - EO Teshima reported that a request has been sent to obtain these numbers;
- An EPP Educators Workshop from March 16-17, 2022, which was moved from initial date at end of this month due to current COVID-19 situation and will focus on nursing educators in both the academic and clinical settings. The trainers will be from Ohio State University;
- Observed great increases in hiring of new graduate nurses into nurse residency programs, with more facilities joining this program. Shared that COVID is actually creating more roles for new graduate nurses, hiring more than ever and a growing number of facilities wanting to support this increase;
- Started convening regular meetings with chief nursing officers in Hawaii to talk about the dire situations that are happening and offering sharing opportunities. As a result of their first meeting, they had identified a critical need of ICU nurses at one facility, with another facility sending nurses to support;
- Looking at a policy series for continuing nursing education, in November, with topics including delegation ratios and the APRN consensus, as these were recognized as big issues last year. One of the requests from the legislature is that nursing professionals need to get on same page and also convene to create a shared understanding as a nursing workforce; and,
- Starting with CNO group and other stakeholders in the community to figure out how they can begin supporting nurses collectively. Several conversations are happening to help align in assisting nurses

The Chair asked if the Board had any questions for Ms.Reichardt.

EO Teshima inquired on the mention of possible legislation for 2022, which was brought up at last month's meeting, in regard to any drafts being ready to be brought to the Board for review.

Ms. Reichardt stated that the Hawaii State Center for Nursing Board meeting was deferred to take place August 21, 2021, as they did not have quorum due to nurses responding to the COVID pandemic. A meeting was rescheduled for September 21, 2021. She mentions a draft can be shared right now, but has not been formally approved by their Board. Once their Board approves the draft, it will be shared with the Board of Nursing.

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

Ms. Beechinor reported:

- Recognizing need to support nurses statewide during the current unprecedented and challenging situation, with conversations occurring on ways to accomplish this;
- An annual conference is scheduled for October 9, 2021, focusing on ways to support one another during this pandemic, sharing hopeful ideas for coming out of the pandemic, capitalizing on political positions, and how the nursing profession and community can benefit from lessons learned from the pandemic. Another focus will be on mental health of all nurses;
- Ongoing discussions are happening regarding legislative bills with various stakeholders and have made great progress, working collaboratively to address issues, strategize, re-strategize regarding ways to address the issues being brought up; specifically the four bills brought up during the 2021 Legislative session. This includes delegation and overtime for nurses. There is a consensus with stakeholders

to work on issues collaboratively, not only in Hawaii, but nationally as well. The Hawaii American Nurses Association has also been working closely with Ms. Reichhardt regarding a bill for delegation issues, educating nurses on their power of delegation authority per the Nurse Practice Act, which is not being utilized well; and,

- Thriving as an association with over 300 members

Ms. Reichhardt iterated their testimony must be evidence-based, grounded per the Hawaii Center of Nursing mandates. The effort is to understand reason these bills were initially introduced, understanding there was an identified need by stakeholders, then working through course of action as a collective group.

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

Mr. Kuo reported:

- Shares same sentiments as Ms. Reichhardt and Ms. Beechinor in regard to the legislative bills; and
- HAPN will provide a presentation on September 18, 2021 at 9:00 a.m., with support from the Caring Science Consortium, with topic of "Moving At A Pace That Is Real -- A Dialogue, Reflection and Exploration of Caring Consciousness." This is in conjunction with the Watson Caring Science Institute. Information on event and registration is on HAPN's Facebook page as well as website.

There being no further agenda items, the Chair announced the next meeting.

Next Meeting:

The Chair asked if everyone is able to attend the next meeting:

Thursday, October 7, 2021
8:30 a.m.

Ms. Boyer stated that she may not be able to attend due to conflicts with her teaching assignments.

Adjournment:

With no further business to discuss, the Chair adjourned the meeting at 10:26 a.m.

Taken by:

/s/ Marc Yoshimura

Marc Yoshimura
Secretary

Reviewed by:

/s/ Chelsea Fukunaga

Chelsea Fukunaga
Executive Officer

LAT

9/29/21

[x] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____