

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, March 14, 2022

Time: 9:00 a.m.

Place: Virtual: ZOOM Link: <https://dcca-hawaii-gov.zoom.us/j/98415311079>

ZOOM Phone Number:
Meeting ID:

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

Members Excused: Jomel Duldulao, Public Member
Tammie Napoleon, DNP, APRN, PPCNP-BC

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

Guests: Laura Reichhardt, Hawaii State Center for Nursing
Linda Beechinor, Hawai'i American Nurses Association
Dotty Pierre, Applicant
Rhobertha Haley, Chaminade
SWingate, Applicant

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.

Virtual Meeting Instructions: A short video regarding virtual meetings was played for attendees.

The Chair provided information on internet and phone access for today's virtual meeting and announced that today's meeting was being recorded and that the recording will be posted on the Board's web page.

Call to Order: The Chair took roll call of the Board members and excused Mr. Duldulao and Dr. Napoleon from today's meeting.

After taking roll, quorum was established and she called the meeting to order at 9:04 a.m.

Chair's Report: **Announcements**

The Chair stated that she and EO Fukunaga will be attending the NSCBN's virtual mid-year meeting this week and noted that due to the time difference, the meetings start at 3:30 a.m. Hawaii time.

She announced that the next agenda item was approval of the minutes of the February 3, 2022 meeting.

Approval of the Minutes of the February 3, 2022 Meeting

The Chair noted there is a typo on the agenda in regard to the date of the minutes, it should be February 3, 2022, not 2021 and asked the members if there was any discussion in regard to the minutes.

There being no discussion or corrections, the Chair called for a motion in regard to the minutes of the February 3, 2022 meeting.

Upon a motion by Ms. Boyer, seconded by Ms. Daub, it was voted on with the Chair, Vice Chair, Ms. Boyer, Ms. Daub, Ms. Kodama and Ms. Stone Murai voting "yes" and Mr. Ramos abstaining, to approve the minutes as circulated. The motion carried.

The Chair announced the next agenda item was the Executive Officer's Report.

Executive Officer's Report:

2022 Legislative Session – Status on latest version of the following bills

EO Fukunaga reported on the status of the following bills:

HB 1594, HD1/SB 2274, SD1 Relating to the Center for Nursing

Report Title: Center for Nursing; Workforce Supply Survey; License Fees; Increase
Description: Requires all nursing license applicants to respond to the center for nursing workforce supply survey in conjunction with license renewal; provided that failure to respond to the workforce supply survey shall not impact license renewal or result in encumbrance of the license. Increases the center for nursing fee from \$40 to \$60 per license biennium. Effective 7/1/2060. **(HD1)**

Description: Requires all nursing license applicants to respond to the center for nursing workforce supply survey in conjunction with license renewal, provided that the license renewal shall not be contingent upon responding to the workforce supply survey and failure to respond to the workforce supply survey shall not result in encumbrance of the nurse's license. Increases the center for nursing fee from \$40 to \$60 per license biennium. **(SD1)**

HB 1594 was deferred because the senate version was moving.

SB 2274 was heard by WAM who amended the bill by:

- (1) Clarifying that the failure of a nursing license applicant to properly complete the Hawaii Center for Nursing's supply survey will not result in the forfeiture of the applicant's nursing license;
- (2) Changing the effective date to July 1, 2050, to facilitate further discussion on the measure; and
- (3) Making technical nonsubstantive changes for purposes of clarity, consistency, and style.

3/8/2022 – Received from Senate

3/10/2022 - Referred to HHH, CPC, FIN
3/15/2022 – Bill scheduled to be heard by HHH

HB 1823, HD1/SB 2680, SD1 Relating to Health

Report Title: Our Care, Our Choice Act; Advanced Practice Registered Nurses; Mandatory Waiting Period

Description: Authorizes advanced practice registered nurses and physician assistants to practice medical aid in dying in accordance with their scope of practice and prescribing authority. Authorizes advanced practice registered nurses with psychiatric or clinical nurse specializations and physician assistants to provide counseling to a qualified patient. Reduces the mandatory waiting period between oral requests from twenty days to fifteen days. Reduces the mandatory waiting period between the initial oral request and the provision of a prescription from fifteen days to ten days if more than ten business days have passed between the initial oral request and an appraisal of the patient by the attending provider or counseling provider. Waives the mandatory waiting period for qualified patients not expected to survive the mandatory waiting period. Prohibits the disclosure or discovery of information collected or retained pursuant to incidental or routine communication between the department of health and qualified patients or providers. Effective 7/1/2060. **(HD1)**

Description: Authorizes advanced practice registered nurses, in addition to physicians, to practice medical-aid-in-dying in accordance with their scope of practice and prescribing authority. Authorizes licensed psychiatric mental health nurse practitioners, clinical nurse specialists, and marriage and family therapists, in addition to psychiatrists, psychologists, and clinical social workers, to provide counseling to a qualified patient. Strengthens nondisclosure protections. Reduces the mandatory waiting period between oral requests from twenty days to fifteen days. Waives the mandatory waiting period for those terminally ill individuals not expected to survive the mandatory waiting period. Effective 1/1/2050. **(SD1)**

SB 2680 - Received from Senate but not scheduled for hearing

HB 1823 - Heard by JHA who passed with amendments:

- (1) Deleting language that would have reduced the mandatory waiting period between a qualified patient's initial oral request and the provision of a prescription from fifteen days to ten days if more than ten business days passed between the initial oral request and an appraisal of the patient by the attending provider or consulting provider;
- (2) Deleting the savings clause; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

3/10/2022 – Received from House

3/11/2022 Referred to HTH, CPN/JDC

HB 1758, HD2/SB 2460, SD1 Relating to Nurses

Report Title: Nurses; Registered Nurses; Licensed Practical Nurses; License; Endorsement; Temporary Permits

Description: Allows for temporary permits to be issued to registered nurses and licensed practical nurses from a territory or foreign country that are seeking a state license by endorsement. Effective 1/1/2050. **(HD2)**.

Description: Allows for temporary permits to be issued to registered nurses and licensed practical nurses from a territory or foreign country that are seeking a state license by endorsement. Effective 1/1/2050. **(SD1)**

SB 2460 3/10/2022 – Received from Senate but not scheduled for hearing

HB 1758 – CPC passed with amendments:

Changing the effective date to January 1, 2050, to encourage further discussion.

2/24/2022 – FIN passed unamended.

3/8/2022 – Received from House.

3/10/2022 - Referred to HTH/CPN, JDC/WAM

3/15/2022 - HTH/CPN hearing scheduled

SB 2282, SD1 Relating to Abortion Care

Report Title: Abortion Care; Advanced Practice Registered Nurses; Transgender; Gender Non-Binary

Description: Clarifies that access to abortion care is inclusive of all pregnant people in the State. Repeals a criminal penalty for violations of certain abortion provisions. Clarifies that advanced practice registered nurses may provide abortion care. **(SD1)**

3/8/2022 – Received from Senate and referred to HHH/CPC, JHA, FIN

The Chair asked if the Board members had any questions.

There was none.

The Chair asked if there was anyone attending who wanted to address the Board on this agenda item.

No one raised their hand.

Reports:

Hawai'i State Center for Nursing – Laura Reichhardt, Executive Director

Ms. Reichhardt reported on the following:

- Evidence Based-Practice in-person workshop this week for nurse educators both academia and clinical practice;
- LPN situation, extreme shortage, 2019 HSCFN researcher alarmed and alerted the State and since then the situation has exasperated due to shifts or changes to enrollment as well as increased demand and it looks like a diminished LPN population overall and we need to start thinking about solutions;
- Continuing faculty shortage, HB 2220, that will increase the structure lines for faculty across the UH system so we have more nursing instructor needs than before due to changes in ratio, so that contributes to the nursing shortage address nursing shortage;
- Continued work on APRN scope of practice and removing existing barriers. Rep. Kitagawa calling for the need for a holistic approach, inter-professional working group to identify and address barriers.
- New graduate hiring, continuing to see new grad hiring, 2017-present, 10% reported they moved to mainland, remaining 90% remained in the islands, but this is pre-COVID data. Vast majority of new grads who move to the mainland for acute care job opportunities whereas only about 50% of new grads who remain in the islands obtain acute care job positions so they may be seeking a career opportunity that isn't here; and
- New graduate report may not accurately reflect current perspective.

Ms. Daub stated that she had one comment and one question and thanked Ms. Reichardt for her report and the wealth of information she provides to the Board and that the information she provided on the LPN shortage is fascinating and her question is related to upcoming to evidence-based practice live presentation, is the total end virtual and live?

Laura in person only and no plans to be recorded.

The Chair called on Ms. Beechinor.

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

Ms. Beechinor reported on the following:

- 23 new members, over 400 members RN, plan to increase to 500;
- HISA conference support, student nurses committee, membership with HANA;
- Mentorship program starting in May;
- Advocacy committee active in legislative bills targeting nursing; and
- Support HSCFN evidence-based event and offered scholarships.

The Chair asked if there were any questions for Ms. Beechinor.

There were none.

The Chair announced that the next agenda item the Board will be reviewing applications and will be moving 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 9:22 a.m., upon a motion by Ms. Stone Murai, seconded by Ms. Kodama, it was voted on and unanimously carried to move into executive session.

The Board resumed the meeting at 10:01 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 20289 – 20304 (15);
RNs, license numbers 104452 – 105136 (684); and
APRNs and APRNs with prescriptive authority

Applications

The Chair called for a motion in regard to the applications.

Licensed Practical Nurses

Upon a motion by the Vice Chair, seconded Ms. Kodama, it was voted on and unanimously carried to delegate to the EO to approve the following application upon submission of additional documents that would confirm/verify the information contained in the application and applicant's oral testimony:

Dotty Pierre

Registered Nurse

Upon a motion by the Vice Chair, seconded by Ms. Kodama, it was voted on and unanimously carried to approve the following application:

Suzanne Michelle Wingate

Delegation

Upon a motion by the Chair, seconded by Ms. Kodama, it was voted on and unanimously carried to delegate to the EO to continue processing an application in which the nurse license in another state was disciplined based on a prior conviction that was later annulled, expunged or dismissed, and the applicant complied with the terms of the disciplinary action and the license is no longer or not encumbered.

The Chair announced the next agenda item as Chapter 91, HRS, Adjudicatory Matters

Chapter 91, HRS –
Adjudicatory Matters:

The Chair asked if there was any discussion by the Board members on any of the adjudicatory matters.

Seeing none, upon a motion by the Chair, seconded by Ms. Daub, it was voted on and unanimously carried to approve the following adjudicatory matter:

In the Matter of the License to Practice Nursing of **Barbara McLaurin; RNS 2021-338-L**; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1"

The following Board's Final Order for Non-Compliance with Settlement Agreement that was previously approved by the Board, was provided to the Board members with copies of Ms. Concepcion's completion certificates for their information only:

In the Matter of the License to Practice Nursing of **Wilma V. Concepcion; RNS 2018-16-L**; Board's Final Order for Non-Compliance with Settlement Agreement

Next Meeting: Thursday, April 7, 2022
9:00 a.m.
Virtual

The Chair announced the next Board meeting and that it would be held both virtually as well as in-person.

Adjournment: With no further business to discuss, the Chair adjourned the meeting at 10:07 a.m.

Taken by:

Reviewed and Approved by:

/s/ Lee Ann Teshima
Lee Ann Teshima
Executive Officer

/s/ Chelsea Fukunaga
Chelsea L. Fukunaga
Executive Officer

LAT

04/01/21

Minutes approved as is.

Minutes approved with changes; see minutes of _____