

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, April 7, 2022

Time: 9:00 a.m.

In-Person Meeting Location: King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

Virtual: Virtual Videoconference Meeting – Zoom Webinar (use link below)
<https://dcca-hawaii-gov.zoom.us/j/91441120861>

Zoom
Phone
Number: (669) 900 6833
Meeting ID: 914 4112 0861

Members Present: Carrie Oliveira, Chair
Olivia Kim, BSN, BS, RN, LPN, NHA, Vice Chair
Karen Boyer, RN, MS, FNP
Katharyn Daub, MNEd, EdD, RN
Tammie Napoleon, DNP, APRN, PPCNP-BC
Amy Stone Murai, APRN
Benjamin Ramos, RN

Members Excused: Jomel Duldulao, Public Member
Judy Kodama, MSN, MBA, RN, CNML

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

Guests: Liane Hussey for Laura Reichhardt, Hawaii State Center for Nursing
Linda Beechinor, Hawai'i American Nurses Association
Barbara Halle
Brooklyn Roberts, Applicant
Marie Reed, Applicant
Mark Waller, Applicant
Galaxy Note 10+ (John Glidewell), Applicant
Owner (Joseph Taft), Applicant

For purposes of this hybrid 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 Ms. Kodama from today's meeting.

In accordance with Act 220, SLH 2021, all Board members in attendance confirmed that they were alone in their respective areas. The Vice Chair clarified that another individual was present in her office, however she was utilizing earphones to ensure that no one else could overhear the discussions.

After taking roll, quorum was established and she called the meeting to order at 9:08 a.m.

Chair's Report:

Approval of the Minutes of the March 14, 2022 Meeting

The Chair asked the members if they had any discussion or corrections or would like to discuss the minutes.

There being no corrections or discussion, the Chair called for a motion in regard to the minutes of the March 14, 2022 meeting.

Upon a motion by Ms. Boyer, seconded by Ms. Stone Murai, it was voted on with the Chair, Vice Chair, Ms. Daub, Ms. Boyer, Mr. Ramos, and Ms. Stone Murai voting "yes" and Dr. Napoleon abstaining, to approve the minutes of the March 14, 2022 meeting as circulated.

The motion carried.

Education Committee Report of the March 14, 2022 Meeting Recommendations

The Chair read the following recommendations from the March 14, 2022 Education Committee meeting, on behalf of the Education Committee Chair:

- **Hawaii Nursing Programs**
Stand-alone PN Program – University of Hawai'i, Maui College - Recommend approval
Faculty Applications – Recommend approval
 - ✓ Nancy Atmospera-Walch School of Nursing: Karen White-Trevino
 - ✓ Kaua'i Community College: Jessica Fons
- **Continuing Competency – Learning Activity Options and Exemptions**
Request from Melody Kilcommons – ELSO Specialist Certification – Recommend approval

The Chair called for a motion in regard to the Education Committee's recommendations from their March 14, 2022 meeting.

Upon a motion by Ms. Boyer, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the Education Committee's recommendations from their March 14, 2022 meeting.

Announcements

The Chair reported that she and EO Fukunaga attended the NSCBN's mid-year meeting virtually from March 15-17, 2022. The main focus of the meeting was how to move nursing regulation forward post-pandemic.

The Chair shared that she was only available to attend the first day of the meeting, which was Leadership day for Chairs and Executive Officers ("EOs"). The Chair found the meeting to be an interesting opportunity to converse with EOs and Chairs from other State Boards. In speaking with EO Fukunaga, it appears that the challenges and difficulties that the Hawaii Board of Nursing is currently experiencing are very much the same throughout the rest of the country. The Chair added that the Hawaii Board of Nursing does not seem to be as rigidly constrained in comparison to the other State Boards.

EO Fukunaga shared the following highlights:

- The first day was spent listening to EO's from other States reporting on the difficulties their Boards experienced during the pandemic. A number of EO's spoke about the challenges telework had presented, which included, but was not limited to backlogs in processing. Similarly, many Boards are now dealing with the consequences of their State's equivalent of the Emergency Proclamations which exempted nursing licensure during the pandemic;
- On the second day, EO Fukunaga reported that the California Board had shared that they created a portal in which approved programs/schools have the ability to verify/authenticate their students' education directly with the Board. EO Fukunaga added that service is solely for nursing programs within the State.

EO Fukunaga also reported that there was also a discussion regarding the issue of misinformation being circulated during the pandemic (i.e. ivermectin). Various EOs had shared how they dealt with and are currently dealing with members of the public attending their Board meetings with the intent to spread misinformation; and

- The third day focused on the planned updates to the NCLEX. In light of the difficulties that the pandemic presented, there is a push to offer online proctoring of the NCLEX. The NCLEX test staff presenting, estimated that it would take anywhere from five to ten years to implement. Tools such as facial recognition technology were discussed in addition to the possibility of requiring future test takers to submit their computers for analysis to deter cheating.

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:

SB 2274, SD2, HD1 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, but

does not penalize for failure to do so. Increases the additional center for nursing fee from \$40 to \$60 per licensing biennium. Effective 7/1/2060. (HD1)

On April 1, 2022, the bill was heard by the House Committee on Finance and was passed unamended.

HB 1823, HD2, SD1 Relating to Health

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

On April 1, 2022, the bill was heard by the joint Senate Committees on Consumer Protection and Commerce, and Judiciary, and was passed with amendments.

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. (SD1)

On April 5, 2022, this bill was heard by the joint Senate Committees on Judiciary, and Ways and Means and was passed with amendments.

HR 139/HCR139 Requesting the Auditor to Conduct an Analysis Regarding the Scopes of Practice for Advanced Practice Registered Nurses and Physician Assistants

Report Title: Auditor; Analysis; Scope of Practice; Advanced Practice Registered Nurses; Physician Assistants
Description: The purposes of this resolution are to request that the Office of the Auditor (Auditor) conduct an analysis of: (1) the scopes of practice for advanced practice registered nurses and physician assistants; (2) whether the scopes of practice for APRNs and physician assistants should be expanded in certain areas of medical care and services, including: school-based health services, medical care for minors related to human immunodeficiency virus, abortion care, the records review process for prescriptions of controlled substances, Clinical Laboratory Improvement Amendments waived tests, medical aid in dying, and other medical care and services; and (3) a comparison to other jurisdictions and whether those jurisdictions allow for similar expanded scopes of practice.

In regards to HR139:

On March 29, 2022, this bill was heard by the House Committee on Health, Human Services, and Homelessness, and was passed with amendments.

On April 1, 2022, this bill was amended in HD1 and adopted in the final form.

In regards to HCR139, HD1:

On March 29, 2022, this bill was heard by the House Committee on Health, Human Services, and Homelessness, and was passed with amendments.

On April 1, 2022, this bill was adopted and transmitted to the Senate.

On April 4, 2022, this bill was referred to the Senate Committees on Health, and Consumer Protection and Commerce.

The Chair asked if the Board members had any questions.

There were 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

Liane Hussey reported on behalf of Ms. Reichhardt. Ms. Hussey reported on the following:

- The New Graduate Workforce Report from the 2021 Supply Survey is expected to be released by the end of the month (if not much sooner). The New Graduate Workforce Report has been composed as an FAQ document that answers questions about new graduate nurse employment. The researcher also produced a comparison of RN salaries across settings. The findings indicated post-acute/long-term care to be the lowest paying setting, while acute care, ambulatory care and “all other settings” pay the highest;
- For nursing professional development, the evidence-based practice workshop was held in-person last month for academic and clinical educators. Currently, HSCN is looking in to how to continue to support nursing professional development in this area. The big take away from the event was the importance of aligning evidence-based practice education throughout the workforce pipeline; starting pre-pipeline with students, academic educators, and moving into experienced clinicians. HSCN is also seeking to extend the Success Pays program that was launched pre-COVID in an effort to support more nurses in becoming certified for their initial certification at no financial risk. This program enables participants to take the test twice and only pay when they pass. HSCN implemented this program in an effort to assist nurses from rural areas and smaller organizations (including academic settings);
- HSCN recently completed a survey that received fourteen responses across the State. The survey focused on recruitment and retention as it relates to development of specialty nurses. Based on the data, HSCN will start exploring models to support working nurses in becoming trained in specialty areas. This

will enable our local nurses to stay in-State to become specialized and assist local organizations with their recruitment of specialty nurses (internally and externally);

- Big emerging topics within HSCN have been around faculty shortages; specifically, how to increase capacity for school's production of nurses, nurse well-being, nurse recruitment, and specialty nurse development. As for the production of new nurses, developing the LPN workforce is urgently being addressed, as the demand far exceeds the production at this point in time; and
- For the Legislative session, HSCN will defer to the earlier report out on bills. HSCN also wants to thank the Board for its advocacy on behalf of the profession and for helping with stakeholder education about advanced practice registered nurses ("APRN"). Ms. Reichhardt wants to also recognize EO Fukunaga for her tremendous work both representing the Board of Nursing in hearings, as well as answering hard questions with clarity and accuracy. HSCN is committed to supporting the Board in any APRN scope review that may come of HR/HCR 139 or other efforts.

The Chair asked if any of the Board members had questions.

There were none.

The Chair called on Ms. Beechinor.

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

Ms. Beechinor reported on the following:

- May is Nurses month throughout the country. On May 18, 2022, HANA will be hosting an evening gala to celebrate nurses making a difference. In light of the conviction of RaDonda Vaught for criminally negligent homicide caused by a medication error that resulted in a fatality, HANA is focused on helping nurses to take care of themselves as far as liabilities and responsibilities. Yvonne Geesey will be the keynote speaker;
- The Nancy Atmospera- Walch School of Nursing reveal event will be occurring the following weekend as Nancy Atmospera-Walch, the President-elect, will take over for the current President this Fall;
- HANA will continue to work with all nine programs to establish the Hawaii Student Nurses' Association, which will include students who are ANA subscribers;
- Assisting faculty at all schools with the professionalism components of their programs (i.e. policies, legislation, ethics, standards of practice) and to infuse these components by providing speakers, including the neighbor islands;
- Looking to obtain solid data regarding the hiring of new graduates into non-RN positions. On April 6, 2022, HANA was informed that Maui Memorial Hospital announced they will be hiring new graduates as certified nurse aides at the end of this year. Ms. Beechinor shared that she is disappointed by the announcement;
- Launching mentorship program in May 2022 with 23 pairs of RNs and new graduates, including those on neighbor islands; and
- Membership is 325 members this month, gaining about 10 new members per month.

The Chair asked Ms. Beechinor if she knew why Maui Memorial Hospital is hiring newly graduated RNs as CNAs? Is it because they are unable to support them through the nursing residency program?

Ms. Beechinor answered yes.

The Chair asked if there were any other 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 9:40 a.m., upon a motion by the Chair, seconded by Ms. Stone Murai, it was voted on and unanimously carried to move into executive session.

The Board resumed the meeting at 10:30 a.m. after coming out of executive session.

Applications:

Ratification Lists

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

LPNs, license numbers 20305 – 20337 (32);
RNs, license numbers 105135 – 105773 (638); and
APRNs and APRNs with prescriptive authority

Applications

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

Registered Nurse

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

Marie Reed
Brooklyn Roberts
Joseph Taft
Mark Waller
Jeffrey Bayless
Deanna Winn
John Glidewell

Upon a motion by the Vice Chair, seconded by the Chair, it was voted on and unanimously carried to defer the following application pending appearance at the May 5, 2022 Board meeting and additional information/documentation as requested by the Board for their consideration.:

Michelle Hayashi

Advanced Practice Registered Nurse

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

Jeffrey Bayless

John Glidewell raised his hand and was promoted to panelist.

Mr. Glidewell asked when he will receive an official letter regarding his licensure.

EO Teshima advised that after the meeting, his application will be approved and sent to the Licensing Branch to issue his license; provided Mr. Glidewell paid the licensing fees and there are no other deficiencies.

Mr. Glidewell was returned to attendee.

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. Boyer, it was voted on and unanimously carried to approve the following adjudicatory matters:

In the Matter of the License to Practice Nursing of **Ernest J.D. Esplana; RNS 2021-236-L**; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibit "1"

In the Matter of the License to Practice Nursing of **William Keath Hopgood; RNS 2019-5-L**; Settlement Agreement Prior to Filing of Petition for Disciplinary Action and Board's Final Order; Exhibits "1" – "3"

In the Matter of the License to Practice Nursing of **Heather D. O'Handley, R.N.; RNS 2021-1-L**; Hearings Officer's Findings of Fact, Conclusions of Law, and Recommended Order; Board's Final Order

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

Next Meeting:

Thursday, April 7, 2022

Time: 9:00 a.m.

In-Person: Queen Liliuokalani Conference Room
King Kalakaua Building, 1st Floor
335 Merchant Street
Honolulu, Hawaii 96813

Virtual: Zoom Webinar

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 10:41 a.m.

Taken by:

Reviewed and Approved by:

/s/ Marc Yoshimura
Marc Yoshimura
Secretary

/s/ Chelsea Fukunaga
Chelsea L. Fukunaga
Executive Officer

LAT

04/27/21

Minutes approved as is.

Minutes approved with changes; see minutes of _____