

**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 5, 2022

Time: 9:00 a.m.

In-Person Meeting Location: King Kalakaua Building, 1st Floor  
Queen Lilioukalani Conference Room  
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: 937 0833 1158

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  
Tammie Napoleon, DNP, APRN, PPCNP-BC  
Amy Stone Murai, APRN  
Benjamin Ramos, RN

Members Excused: Jomel Duldulao, Public Member

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  
Bradley Kuo, Hawaii Association of Professional Nurses  
Larnel Nelson  
Tamarin Sessom

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 from today's meeting.

In accordance with Act 220, SLH 2021, all Board members in attendance confirmed that they were alone in their nonpublic location. 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 9:10 a.m.

Chair's Report:

**Announcements**

The Chair had no announcements.

**Approval of the Minutes of the April 7, 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 April 7, 2022 meeting.

Upon a motion by Ms. Boyer, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the minutes of the April 7, 2022 meeting as circulated.

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)

This measure went to conference where it was amended as follows:

- (1) Deleting the requirement that nurses respond to the Center for Nursing Workforce Supply Survey;
- (2) Inserting an effective date of July 1, 2022; and
- (3) Making technical, non-substantive amendments for the purposes of clarity and consistency.

HB 1823, HD2, SD2 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)

This measure was deferred at 4/28/2022 conference committee hearing..

HB 1758, HD2, SD2 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)

This measure was going to conference but on 5/3/2022, the House agreed to the Senate amendments that were technical, non-substantive changes.

**Transmitted to the Governor on 5/4/2022.**

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.

**APRN Scope of Practice**

APRN – Certified Nurse Midwife, Performing Vasectomies – Inquiry from Le’a Minton  
The Chair called on Ms. Minton to address the Board.

Ms. Minton was elevated to panelist and stated that she is a Certified Nurse Midwife, licensed as an APRN in the State of Hawai'i. Ms. Minton asked if her scope of practice allows her to perform vasectomy procedures in an outpatient setting? She stated that she has the opportunity to be trained and is interested in acquiring this skill set so that she can offer this family planning service. Ms. Minton stated that oftentimes, partners who have developed a relationship during a pregnancy or through pre-conception counseling services feel comfortable to inquire about vasectomy services. Ms. Minton stated that it can be difficult for people to gain access to this procedure, especially on neighbor islands.

Ms. Minton stated that her scope of practice listed within §16-89-81(c)(3)(C) states: "Includes all of the functions listed in paragraph (1) relating to nurse practitioner scope of practice." and that §16-89-91(c)(1)(A-H), which includes (c)(1)(B): "Order, interpret, or perform diagnostic, screening, and therapeutic examinations, tests, and procedures;"

She stated that in this instance, she would interpret that a vasectomy in an outpatient setting is a procedure which is completed under local anesthetic to the area where the procedure occurs and that she is referring to a non-scalpel procedure that is not surgery.

Ms. Minton's governing professional body is the American College of Nurse Midwives (ACNM) [Scope of Practice document](#) for CNMs. Ms. Minton stated that her scope of practice includes "family planning services", and that a vasectomy is solely a family planning service. She added that vasectomies can safely be done in an outpatient setting and are performed in such locations around the world. Therefore it is her interpretation that it would be acceptable for her to offer this family planning service provided she is adequately trained.

The Chair asked Ms. Minton to clarify whether she is referring to the non-scalpel procedure?

Ms. Minton stated yes, that this non-scalpel procedure was developed in China but is used elsewhere; being the preferred method of procedure that can be done in an office setting.

The Chair asked the Board staff if the Board had previously discussed APRNs performing vasectomies.

EO Teshima stated that at the Board's 11/7/2013 meeting, the Board discussed whether an APRN can perform vasectomies and referred the matter to their Practice Committee for research. The Practice Committee is now defunct and the subject was not discussed.

The Chair asked if the Board should reconvene the Practice Committee or even have this conversation with the Board at this time?

EO Teshima responded that this Board is capable of responding to this inquiry.

EO Teshima asked if Ms. Minton's national certification allows her to specifically perform vasectomies or non-surgical procedures?

Ms. Minton responded that her scope of practice under the ACNM does allow for "family planning" and procedures. Her American Midwifery Certification Board certification essentially allows her to practice as a midwife under the ACNM scope of practice and then the Board in this State. She stated that the ACNM's scope of practice includes "family planning services" which include reproductive health for all genders. Ms. Minton noted that as a CNM, she can do non-surgical procedures.

EO Teshima asked what kind of procedures?

Ms. Minton replied endometrial biopsies, LEEP procedures, aspiration abortions, vacuum assisted deliveries as well as first assist for C-sections.

Ms. Stone Murai thanked Ms. Minton for her great packet of information and stated that as a Women's Health NP, she is not a CNM. As far as a midwife doing procedures on a

male, there is allowance to provide STD treatment for male patients. She stated that vasectomies are a pretty easy thing to do. Although Ms. Stone Murai had not performed this procedure before, she could easily go through the procedures in her mind knowing the anatomy for a non-scalpel vasectomy. Ms. Stone Murai added that we can't always have every procedure specifically say, "yes you can" or "no you can't". You must trust that people who are doing it are: practicing within their scope, are qualified to perform it and have a back-up place in case anything goes wrong. Ms. Stone Murai thanked Ms. Minton for bringing this to the Board.

The Chair asked if there were any other questions from the Board members.

The Vice Chair asked if and what kind of training is available?

Ms. Minton referred to [World Vasectomy Day](#), that offers [hands-on training](#) and requires a minimum of 20 procedures to be performed under the supervision of a trained vasectomist; they also offer continuing education (CME) events annually. Ms. Minton stated that she may have to go to another state or have a Hawaii licensed provider come here in order to be trained. She added that there's a checklist. In a research study, medical students, not residents, also scored 20. Another option for training is offered by Planned Parenthood who have provided training for this procedure since the mid-90s. Ms. Minton stated that Alaska, Washington, Idaho, Oregon actually have a skilled checklist that is lower than 20. Ms. Minton noted that Planned Parenthood no longer offers vasectomies as part of their family planning in reproductive health because it is not clear whether APRNs can perform this procedure and OB/GYNs do not perform this procedure.

Ms. Kodama asked if Ms. Minton will be the first in Hawaii to do this or is there anyone else in Hawaii who can perform vasectomies?

Ms. Minton replied that as far as she knows she would be the first APRN but noted that urologists can also provide vasectomies. She also shared that anecdotally, she has heard that some people have waited up to 3-8 months to have the procedure done. Many do not have access due to lack of insurance coverage or are not able to afford it if a urologist performs the procedure. Ms. Minton commented that APRNs may provide the procedure at a more reasonable cost.

EO Teshima asked Ms. Minton if she knew of any other states that allowed APRNs to perform vasectomies.

Ms. Minton stated that Alaska, Washington, Idaho, Oregon and possibly Vermont. She also said that there are other APRNs in other states not mentioned, that perform vasectomies because it is not specifically prohibited in that state. In Oregon, the law had to be amended to allow APRNs to perform vasectomies because the law specifically prohibited sterilization procedures by APRNs. She stated that this was an initiative by the federal government, HHS and also provided information for Medicaid patients.

EO Teshima asked for clarification on whether insurance does or does not cover this procedure?

Ms. Minton stated that Medicaid does cover this procedure.

The Chair asked if there were any further questions from the Board. Seeing none, she asked the Board whether vasectomies fall within the APRNs scope of practice?

Ms. Stone Murai stated that if the APRN receives the adequate training and knows what they are doing, that this falls within the scope of an APRN's practice.

Ms. Boyer agreed and added that she sees this as an equal rights issue for men to have access to permanent contraception should he wish it.

The Chair agreed.

The Vice Chair asked why this procedure is not included in APRN education. The Vice Chair commented that perhaps it should be considered as it appears there is such a huge demand.

The Chair stated that there are no local programs to prepare APRNs to be CNMs or Women's Healthcare NPs so that may be an issue locally.

Ms. Stone Murai responded by saying that a program can't include every procedure that everyone may want to do. Individuals can continue their education that would focus on specific populations.

Dr. Napoleon agreed with Ms. Stone Murai, adding that programs cannot teach everything that an APRN needs to know under the APRN scope of practice in addition to various procedures. She stated that as a Pediatric NP, she also does a lot of family planning. Because some of her patients are adolescents and her education may have focused on primary care, so she had to seek out additional training and education to provide family planning services as well as procedures. She added that if it falls within your scope of practice and is within the population that the APRN serves and with the additional training and part of your work place setting's policies and procedures then it fits within the scope of practice.

The Chair stated that this is a big burden that we place on entry to practice nursing education to teach everything a nurse needs to know and that if we only rely on what an individual learned in nursing school, we will have a woefully inadequate prepared workforce. We learn what we can and professional development helps the individual to move forward.

Ms. Minton stated that schools train minimum competence not full scope and that a FNP can be trained and that her scope as a CNM includes other procedures such as circumcision, but it is not part of their training in midwifery school. Other procedures such as: ultrasound, first surgical assist, vacuum assist, require an APRN to have additional training/education in order to perform these procedures.

The Chair asked if any Board members had any concerns with an APRN performing vasectomies.

Several Board members shook their heads.

EO Teshima asked Mr. Kuo if he had anything to add to the discussion.

Mr. Kuo was elevated to panelist and stated that allowing this procedure to be performed by an APRN with additional education and training does fit the APRN scope of practice decision-making algorithm provided that further education and certification is acquired.

Mr. Kuo added that the Board should make it known that this would be a requirement for any APRN who wishes to perform this procedure.

EO Teshima asked if upon completion of the training would the individual receive a certificate of completion?

Ms. Minton stated that you would receive a certificate of completion but that in addition, you will also be required to complete continuing education.

Mr. Kuo asked if the continuing education is required in order to maintain the certification?

Ms. Minton replied that although not annually required, she thinks it may be 2 or 3 years and it may depend on the entity, i.e. Planned Parenthood would have their own policies.

Mr. Kuo asked a follow-up question, for any procedures that you do, do you maintain a procedure log?

Ms. Minton responded that as a CNM, they are taught and trained in maintaining logs for any procedures that they perform and because it is common practice for her practice as a CNM, she would maintain a log for vasectomies.

Ms. Reichhardt raised her hand and was elevated to panelist and stated that she appreciates the dialogue and that there should be affirmation of the level of competency, professional development and the ability to demonstrate competency before an individual performs any procedure.

EO Teshima asked if there is a national certification for vasectomies?

Ms. Minton said no, there is not.

EO Teshima asked if the other states that allow for APRNs to perform vasectomies, if they require a national certification or certification and continuing education in this area?

Ms. Minton responded that they basically require appropriate training and that you demonstrate competence.

Ms. Stone Murai stated that we can't have a certification for everything.

After further discussion, the Chair asked if the Board members had any reservations to allow an APRN to perform non-scalpel vasectomies.

There were no reservations.

Ms. Daub stated she did not have any reservations.

Upon a motion by the Chair, seconded by Ms. Stone Murai, it was voted on and unanimously carried that it is the Board's informal interpretation that an APRN may perform non-scalpel vasectomies; provided that the APRN holds a current national certification and has received the appropriate education and training and has demonstrated competency.

DAG clarified that as previously indicated this is an informal interpretation pursuant to HAR 16-201-90.

EO Teshima stated that she would include that language in the minutes.

In accordance with HAR § 16-201-90, the above interpretation is for informational and explanatory purposes only and based solely on the information provided. It is not an official opinion or decision and therefore not binding on the Board.

Reports:

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

Ms. Reichhardt reported on the following:

- HSCFN bill was amended to remove the workforce survey but increase the fees and thanked the Board for the collaborative working relationship to promote the workforce survey for the 2023 renewal cycle;
- Potential to increase nursing lecturers in the UH system to improve school capacity to educate students;
- Assess education and demands and working with clinical facilities;
- Needs assessment for transition to practice in specialty areas, i.e. OR, ICU, emergency room, behavior health; and
- New grad report was sent out and debunks several myths such as new grads do not get hired in the State, only about 10% and also new grads are getting jobs in long-term care as well as acute care.

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:

- Celebrating Nurses Month;
- May in-person celebration with Yvonne Geasey discussing the conviction of the nurse due to a medication error and liability insurance for criminal charges;
- Outreach to nursing students and neighbor islands.

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

There were none.

The Chair called on Mr. Kuo.

**Hawaii Association of Professional Nurses – Bradley Kuo, Legislative Coordinator<sup>1</sup>**

Mr. Kuo reported on the following:

- Networking events;
- Boosting preceptor database;
- CEUs;
- 2022 Legislature;
- APRN bill;
- Candidate questionnaire regarding nursing issues



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

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 10:14 a.m., upon a motion by the Chair, seconded by Ms. Kodama, it was voted on and unanimously carried to move into executive session.

The Board resumed the meeting at 11:06 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 20338 – 20369 (31);  
RNs, license numbers 105774 – 106169 (395); 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. Boyer, it was voted on and unanimously carried to defer the following application until that time the applicant can attend a Board meeting:

Michelle Hayashi

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

Ramon Rueda  
Tracy Smith  
Tamarin Sessom

The Vice Chair moved to defer the following application until the Board receives an assessment.

The Chair clarified to request that the applicant contact Pu'ulu Lapa'au and if the initial assessment does not require any further monitoring or treatment plan, that the Board staff is delegated to continuing processing the application.

The motion did not carry as there was no second.

Upon a motion by the Chair, seconded by Ms. Stone Murai, it was voted on and unanimously carried to request that the applicant contact Pu'ulu Lapa'au and if the initial assessment does not require any further monitoring or treatment plan, that the Board staff is delegated to continuing processing the application:

Larnel Nelson

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 the adjudicatory matter.

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

In the Matter of the License to Practice Nursing of **Linda Medastin; RNS 2021-249-L;** Petition for Disciplinary Action Against License to Practice Nursing; Demand for Disclosure; Settlement Agreement After Filing of Petition for Disciplinary Action and Board's Final Order

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

Next Meeting:

Thursday, June 2, 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.

Ms. Boyer stated that she will not be able to attend.

Adjournment:

With no further business to discuss, the Chair adjourned the meeting at 11:15 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

6/1/22

[ X ] Minutes approved as is.

[ ] Minutes approved with changes; see minutes of \_\_\_\_\_