

## **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, October 6, 2022

Time: 9:00 a.m.

In-Person Meeting Location: Queen Lilioukalani Conference Room, First Floor  
HRH King Kalakaua Building  
335 Merchant Street  
Honolulu, Hawaii 96813

Virtual: Virtual Videoconference Meeting – Zoom Webinar (use link below)  
<https://dcca-hawaii-gov.zoom.us/j/94921938951>

Zoom  
Phone  
Number: (669) 900 6833  
Meeting ID: 949 2193 8951

Agenda: The agenda was posted on the State electronic calendar as required by HRS section 92-7(b).

Members Present: Carrie Oliveira, Chair  
Olivia Kim, BSN, BS, RN, LPN, NHA, Vice Chair  
Karen Boyer, RN, MS, FNP  
Tammie Napoleon, DNP, APRN, PPCNP-BC  
Luzviminda Miguel, DNP, MSN Ed., RN  
Amy Stone Murai, APRN

Members Excused: Jomel Duldulao  
Benjamin Ramos, RN  
Diana Jill Riggs, RN, MSN

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

Guests: Dr. Blair  
Linda Beechinor, Hawai'i American Nurses Association  
Bradley Kuo, Hawai'i Association of Professional Nurses  
Rhoberta Haley  
Sarah Churchwell  
Suzette Cruz

Anthony - Suzette's guest

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, Mr. Ramos and Ms. Riggs from today's meeting. In accordance with Act 220, SLH 2021, all Board members attending virtually confirmed that they were alone in their nonpublic location.

After taking roll, quorum was established and the meeting was called to order at 9:05 a.m.

Chair's Report:

**Announcements**

The Chair had no announcements.

**Approval of the Minutes of the August 4, 2022 and September 1, 2022 Meetings**

The Chair asked if there were any corrections or discussion on the minutes for the August or September meetings.

Seeing none, the Chair asked for a motion to approve the minutes of the August 4, 2022 meeting.

Upon a motion by Ms. Stone Murai, seconded by Ms. Miguel, it was voted on with the Chair, Vice Chair, Ms. Boyer, Ms. Miguel and Ms. Stone Murai voting yes and Dr. Napoleon abstaining as she was not present, to approve the minutes of the August 4, 2022 meeting as circulated.

The Chair asked for a motion to approve the minutes of the September 1, 2022 meeting.

Upon a motion by Dr. Napoleon, seconded by Ms. Boyer, it was voted on and unanimously carried to approve the minutes of the September 1, 2022 meeting as circulated.

**Education Committee Report from September 1, 2022 Meeting**

The Chair reported on the following actions/recommendations of the Education Committee's September 1 2022 meeting:

- Deferral of the Phase 1 application for Arizona College of Nursing's Pre-Licensure BSN program for additional information; and
- Approval of the following faculty applications for the Nancy Atmospera-Walch School of Nursing

Traci Shiraishi  
Weihua Zhang  
Sarah Shin  
David Ng

The Chair called for a motion to accept the actions/recommendations of the Education Committee's September 1, 2022 meeting.

Upon a motion by Ms. Boyer, seconded by Dr. Napoleon, it was voted on and unanimously carried to accept the actions/recommendations of the Education Committee.

At this time, the Chair noted that Dr. Blair was attending the meeting virtually and stated that she would be taking the agenda out-of-order so that Dr. Blair could address the Board for the following agenda item:

Scope of Practice  
Inquiries

**APRN Perform/Interpret/Generate Report for Procedures for Upper GI and Shoulder Arthrogram – Deferred from September 1, 2022 Meeting**

Dr. Blair raised his hand and was promoted to panelist.

The Chair asked Dr. Blair to state his inquiry.

Dr. Blair explained that he has a nurse practitioner ("NP") currently working in his clinic and would like to expand by adding two more NPs. He wants these NPs trained to obtain the ability to perform specific procedures in radiology, specifically lumbar punctures, arthrograms of the shoulder and hip, and fluoroscopy procedures which includes upper GIs and esophagrams. He believes this may be unchartered territory for NPS and wants to ensure that he and his staff are following all rules and regulations.

Dr. Blair added that because these types of procedures involve radiation, his clinic currently has a licensed individual who will be doing the fluoroscopy component of the procedures.

The Chair asked if any of these procedures are considered surgical.

Dr. Blair responded that lumbar punctures and arthrograms are not considered surgical.

The Chair asked whether these procedures are considered to be diagnostic, as in diagnosing an illness.

Dr. Blair responded no for lumbar punctures and arthrograms, but yes to fluoroscopy examinations. For example, for upper GI or esophagrams, their intent would be for the trained NP to perform the procedure and the interpretation of results would be done by a physician.

The Chair asked what type of training the NPs would receive in order to perform these procedures.

Dr. Blair replied that the physician who performs lumbar punctures would provide training at a workstation. The physician would go over the procedures until the trainee feels comfortable enough take over and perform the procedures with the physician overseeing. As the trainee feels comfortable in performing the actual procedures then they will begin practicing independently. This process would be utilized for arthrograms and upper GIs.

The Chair stated that this was unconventional practice and would require additional training for the APRN.

Dr. Blair stated that it would be for diagnostic purposes.

Ms. Stone Murai asked if training would be provided locally by staff.

Dr. Blair answered yes.

Ms. Stone Murai asked if inquiry stems from issues with scope of practice, billing, or documentation.

Dr. Blair answered yes to all three areas and stated that the purpose of the inquiry is to address these areas to ensure they are in compliance.

Mr. Kuo raised his hand and was promoted to panelist.

Mr. Kuo asked Dr. Blair if he is familiar with the education and certifications of the NPs who are practicing in his clinic, for example Family Nurse Practitioners ("FNP") or Acute Care.

Dr. Blair answered that all his NPs are FNPs.

Mr. Kuo stated that FNPs are not traditionally trained to perform lumbar punctures but noted that it is part of the training for Acute Care NPs. Mr. Kuo added that from a professional standpoint, he does not have any particular concerns in regard to FNPs performing other procedures beside lumbar punctures.

The Chair stated that the scope of practice for APRNs is that an APRN may perform and interpret a diagnostic test or procedure. She added the expectation for an APRN is to be properly trained and educated to perform appropriate procedures. As APRNs are required to be nationally certified, the Chair noted that the national certifying organization may have additional thoughts on what they perceive the main of scope of practice is, based on conventional training. She recommended that Dr. Blair consult with the national certifying organization to ascertain whether there are any concerns regarding FNPs performing any of the indicated procedures, especially lumbar punctures.

The Chair asked the Board if there was any additional discussion. The Chair thanked Dr. Blair and Mr. Kuo for their time and discussion, at which time they both were returned to attendees.

There being no further discussion, it was the consensus of the Board that the APRN should check with the national certifying organization to see if this activity would fall under their national certification.

The Chair announced that she would resume the order of the agenda and announced the next agenda item and explained that if any applicant is in attendance, Board staff will call or email you should the Board have any questions.

The Chair then announced that the Board 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 professional or vocational licenses cited in section 26-9 or both;" 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 9:23 a.m., upon a motion by Dr. Napoleon, seconded by Ms. Boyer, it was voted on and unanimously carried to move into executive session.

The Board resumed the meeting at 10:34 a.m. after coming out of executive session.

Applications:

**Ratification Lists**

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

LPNs, license numbers 20460-20486 (26);  
RNs, license numbers 108244-108763 (519); and  
APRNs and APRNs with prescriptive authority

**Applications**

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

Ms. Miguel stated that she could be fair and objective with regard to Ms. Zapien's application.

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

Licensed Practical Nurse

**Stephanie Zapien**

Registered Nurse

**Kimberly Boe**

Upon a motion by the Vice-Chair, seconded by Ms. Napoleon, it was voted on and unanimously carried to approve the following application with the condition that the issuance of the license is subject to the applicant retaking and passing the NCLEX-RN:

**Marzie Valdez**

Upon a motion by the Vice Chair, seconded by Dr. Napoleon, it was voted on and unanimously carried to deny the following applications pursuant to HRS 457(a)(12)(1), (6), and (11) and HAR 16-89-60(1):

Licensed Practical Nurse

**Roseta St. Pierre  
Fabuinne Pierre**

Registered Nurse

**Elimen Joseph  
Lovely Fenelon Osmin  
Veronica Augustin  
Victoria Boateng**

Upon a motion by the Chair, seconded by Ms. Boyer, it was voted on with the Chair, Ms. Boyer, Ms. Miguel, Dr. Napoleon and Ms. Stone Murai voting yes and the Vice Chair voting no to grant the reconsideration request for the following applicant:

**Kelly A. Miyasato**

The motion carried.

Upon a motion by Ms. Stone Murai, seconded by Ms. Boyer, it was voted on with Ms. Stone Murai and Ms. Boyer voting yes and the Chair, Vice Chair and Ms. Miguel voting no and Dr. Napoleon abstaining, to grant the following applicant a license on the condition that she completes an RN course and earn a degree from a Hawaii nursing program and upon successful completion, retake and pass the NCLEX-RN:

**Kelly A. Miyasato**

The motion did not carry as there was not a majority vote, therefore this agenda item is deferred to the November 3, 2022 meeting.

Remedial Course Approval

Upon a motion by the Chair, seconded by Ms. Boyer, it was voted on and unanimously carried to deny the request from the following applicant, to approve the NCLEX High Yield Course(s) as a Board-approved remedial course as it does not meet the definitions of a "remedial course" pursuant to HAR 16-89-2 and does not appear to include a clinical component of at least 60 hours:

**Suzette Cruz**

Chapter 91, HRS -  
Adjudicatory Matters:

At 10:34 a.m., the Chair called for recess from the meeting to discuss adjudicatory matters pursuant to Chapter 91.

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

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

In the Matter of the License to Practice Nursing of **Carly R. Weddle; RNS 2021-307-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 **Katherine L. Cox; RNS 2021-114-L**; Transmittal Memorandum; Hearings Officer's Findings of Fact, Conclusions of Law and Recommended Order; Board's Final Order

At 10:47 a.m., the Chair resumed the meeting.

Executive Officer's  
Report:

**Status Report on Emergency Rules**

EO Teshima stated since the inception of the emergency rules in August, as of October 3, 2022, 68 out-of-state nurses were reported from various facilities.

**McKinsey & Company – Surveyed nurses consider leaving direct patient care at elevated rates, February 2022**

EO Fukunaga reported the article presented reasons why nurses are leaving direct patient care and what can be done to help retain these nurses.

**“State lines should no longer be barriers to health care”, article by David J. Shulkin, former Undersecretary of Health for the U.S. Department of Veterans Affairs**

EO Fukunaga reported that all 50 states had instituted some type of emergency authority to authorize nurses to practice without license under certain circumstances. EO Fukunaga noted that the article indicated that the hybrid usage of telehealth and emergency suspension of licensure laws resulted in positive outcomes during the pandemic.

**Advanced Practice Provider Fellowship Accreditation**

EO Fukunaga reported that Ms. Stone Murai would be discussing this article.

Ms. Stone Murai advised she had never heard of this program, of which also includes physician assistants (“PAs”), but learned that this is another type of credential for APRNs and PAs who have completed the fellowship. This fellowship is a path from transitioning from students to APRNs and PAs.

The Chair clarified that this fellowship provides accreditation for programs for APRNs and PAs.

Reports:

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

Ms. Reichhardt was not in attendance. No report was provided.

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

Ms. Beechinor reported on the following:

- HANA currently has 370 joint members and 90 members within the state of Hawaii with a goal of 500 members by 2023;
- 150 nurses statewide will be attending HANA’s annual conference at the Hilton Hawaiian Village on October 22, 2022, with Lieutenant Governor Josh Green as they keynote speaker and Representative John Mizuno who will be speaking to close the conference. Dr. Elizabeth Barry will be presenting on evidence based practice and additional speakers regarding gender affirming healthcare; and,
- Members having been bringing issues to HANA’s advocacy committee in regard to delays in licensure, the National Licensure Compact in regard to opportunities for local nurses, and bill regarding ban on mandatory overtime for nurses in Hawaii.

EO Teshima thanked Ms. Beechinor for HANA’s recent newsletter which included really good articles regarding racial reckoning, workplace violence, and the Center for Nursing’s report on new grads.

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

Mr. Kuo reported on the following:

- He is the legislative coordinator for HAPN and received a 500+ page packet from the legislature which considers every HRS that includes the words “doctor” or “physician” to figure out if the inclusion of physician assistants, nurse practitioners or pharmacists is necessary in putting together the omnibus bill;
- In addition, this is in relation to HB 182 in taking a look at APRN scope of practice and find where APRNs are missing or whether they should be in various HRS’s; and,
- HAPN requested for the Board to provide finalization of the APRN scope of practice algorithm

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

There were none.

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

Next Meeting:

Thursday, November 3, 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

Adjournment:

With no further business to discuss, the Chair adjourned the meeting at 11:08 a.m.

Taken by:

Reviewed and Approved by:

/s/ Marc Yoshimura  
Marc Yoshimura  
Secretary

/s/ Chelsea Fukunaga  
Chelsea Fukunaga  
Executive Officer

LAT

10/25/2022

[ X ] Minutes approved as is.

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