

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, January 12, 2023

Time: 9:00 a.m.

In-Person Meeting Location: Queen Liliuokalani 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/93031433322>

Zoom Phone Number: (669) 900 6833
Meeting ID: 930 3143 3322

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

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

Members Excused: 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
Lausei Taua, Office Assistant

Guests: Linda Beechinor, Hawai'i American Nurses Association
Bradley Kuo, Hawai'i Association of Professional Nurses
Darrell C
Deborah
Kathy Kump
Rhobertha Haley
Pamela Smith

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.

Call to Order:

The Chair took roll call of the Board members and excused 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 9:07 a.m.

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.

Chair's Report:

Announcements

The Chair announced that sadly, Board member Jomel Duldulao has resigned from the Board with his last meeting being in December.

Approval of the Executive Session Minutes of the November 3, 2022 Meeting and Open and Executive Session Minutes of the December 1, 2022 Meeting.

The Chair asked if there was any corrections or discussion to the executive session minutes of the November 3, 2022 meeting or the open and executive session minutes of the December 1, 2022 meeting.

Ms. Stone Murai stated that she had provided her suggested revisions.

The Chair asked for a motion to approve the executive session minutes of the November 3, 2022 meeting and the open and executive session minutes of the December 1, 2022 meeting.

Upon a motion by Ms. Boyer, seconded by Dr. Napoleon, it was voted on and unanimously carried to approve the executive session minutes of the November 3, 2022 meeting and the open and executive session minutes of the December 1, 2022 meeting as amended.

Executive Officer's
Report:

2023 Legislative Session

EO Teshima reported that there are some bills that have already been posted on the Legislature's website.

EO Teshima stated that there will most likely be a bill introduced regarding the Nurse Licensure Compact (NLC). EO Teshima asked whether the Board's previous position regarding continuing competency, the negative fiscal impact on PVL as a whole, and enforcement were still the same. EO Teshima commented that only a handful of states do not require some form of continuing competency.

It was the consensus of the Board that its previous position on joining the NLC was unchanged.

EO Teshima reported that another bill regarding the “Our Care, Our Choice Act” will also be introduced to include APRNs. EO Teshima added that the Board had previously supported the APRN’s role in this program. The Board had clarified in previous testimony that it had to be an APRN or CNS that had the practice specialty in psych/mental health in order to perform that procedure.

It was the consensus of the Board that its previous position on the “Our Care, Our Choice Act” was unchanged.

EO Teshima announced that a bill relating to abortion care by doctors or APRNs will be introduced and will propose to remove location requirements, update definitions and terminology and remove the \$1,000 fine and five years in prison if an abortion is performed illegally. The bill would also update the HRS.

EO Teshima added that there may be other bills related to reproductive health, that seek to codify and expand the protections under Governor Ige’s Executive Order for healthcare. The bill would update licensing chapters for doctors, nurses, pharmacists, naturopaths, and chiropractors regarding reproductive health care. Hawaii courts would not apply other state’s anti-abortion laws, choice of laws, situations, and Hawaii courts would not enforce out of states or orders arising out of penal civil actions related to protected reproductive health services.

EO Teshima commented that testimony will not be provided on other professions the Board has no jurisdiction over; the focus of the Board’s testimony will be on the APRNs. The Board had previously agreed that APRNs can perform abortions under their specialty; these bills would help APRNs to be more protected if they choose to do these procedures or if they are practicing in another State and they get disciplined there, they won’t be subject to disciplinary action in Hawaii.

EO Teshima asked the Board whether anyone else was aware of any other bills

The Board indicated that the bills reported on were consistent with what they were aware of.

EO Teshima asked whether any Board members had any concerns regarding the bills that were discussed.

The Board had no concerns.

APRN Scope of Practice – Decision Making Flow Chart

EO Teshima thanked Lianne Hussey for her assistance in completing the APRN Scope of Practice- Decision Making Flow Chart.

Ms. Boyer had one minor editing suggestion. Ms. Boyer stated that the “Maintain Documentation” step isn’t really a step. She suggested that it should be put in a smaller font or be italicized, as a reminder to hold on your documentation.

EO Teshima stated that she would take Ms. Boyer’s suggestion under advisement.

The Chair inquired if any representatives will be sent to the NCSBN Mid-Year Meeting. EO Teshima replied that the Chair

Seattle, second week of March. Mr. Ramos, the Vice Chair were unable to go. Ms. Boyer volunteered. Noted when the notice is received.

Reports:

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

EO Teshima stated that she was asked by Ms. Reichhardt to report that the Hawai'i State Center for Nursing's Annual report is out.

The Chair commented that the report is a comprehensive review of all of things that the Hawaii State Center for Nursing does.

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

Ms. Beechinor reported on the following:

- HANA is in the midst of handing out \$500 scholarships to a student at each of the pre-licensure programs, who shows dedication to the profession. Most of the schools have already awarded the scholarships
- Promoting policy and leadership development and participation in the professional organization to all students
- Legislative Updates
 - HANA has a robust advocacy committee
 - Representation from the nursing community, i.e. Philippine Nurses, acute care, HANA, the Union, and the community
 - Kelly Johnson and Kristina Clark chairing HANA's committee
 - Joan Kraft will be doing lead on HANA and OPEIU advocating for
 - Beechinor leading on the Compact bill, opposing the measure

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

Mr. Kuo reported on the following:

- When the Board of Nursing posted the APRN Scope of Practice algorithm, HAPN started to disseminate that information, which started an interesting conversation:
 - HAPN educated several APRNs certified in multiple areas, who didn't realized that they needed their additional certifications on their license.
 - The Board may receive applications to add certifications
 - Questions related to scope issues and what happens if someone is out of scope
 - Scope of Practice Algorithm has also been shared with State legislators in a large email sent to each senator and representative.
 - Helpful in educating the legislature
- Bills
 - Resurrection of Bill from 2021 related to medical decision-making capacity evaluations.
 - As the statute currently stands, only physicians and psychologists are listed.
 - Would like to add APRNs into that bill.
 - Important because there are certain hospitals and clinics where the only psych-provider on-staff is an APRN. Or geriatric teams in various entities that provide house call programs, the main provider is an APRN as a PCP.
 - Address appropriate access to care

- Reimbursement Parity
 - Bill proposes to have insurance companies reimburse APRNs at the same rate as physician colleagues. Similar to Oregon or New Mexico
 - Currently, Medicare reimburses APRNs 15% less than physician colleagues
 - The bill would focus on Quest and commercial insurance companies
 - November 2021, Medicare announced that they changed their reimbursement rules
 - Prior practice would allow a physician to bill a visit under a physician's NPI so that the clinic would get 100% reimbursement, even if an APRN spent majority of the appointment with the patient
 - Under the new rule, if an APRN spends majority of an appointment with a patient, and the physician only sees the patient for five minutes, the appointment must be billed under the APRN. Thus the clinic will receive 15% less.
 - Physicians are unsure whether they will be able to bring on more APRNs and PAs
 - May be a major disruptor to healthcare services in Hawaii
 - The bill proposes reimbursement parity across the board to address this potential issue
- Our Care, Our Choice – HAPN will be advocating for this bill
- Removing General Excise Tax for Medical Services for Physicians, APRNs and PAs – HAPN will be advocating for this bill

At this time, the Chair announced that the Board will be reviewing applications for Hawaii nurse license and asked if any applicants were in attendance to please raise your hand now and informed them that the Board will be discussing their application and if should the Board have any questions, we will call on you so that you can address the Board.

Deborah raised her hand and was promoted to panelist.

The Chair welcomed Deborah into the meeting.

Deborah identified herself as Deborah Hyde. Ms. Hyde stated that she had applied for RN licensure by endorsement and was experiencing difficulty with the fingerprint requirement. Ms. Hyde confirmed that her name was not on the agenda.

EO Teshima stated that she would check on Ms. Hyde's application and contact her after the meeting.

Ms. Hyde was returned to attendee.

Executive Session:

The Chair motioned to move 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;" and that the Board will vote on the applications after coming out of executive session.

It was seconded by Ms. Napoleon, voted on and unanimously carried to move into executive session at 9:35 a.m.

The Board resumed the meeting at 10:28 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 20535-20561 (26);
RNs, license numbers 109809-110412 (603); 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 Dr. Napoleon, seconded by Ms. Boyer, it was voted on and unanimously carried to deny the following LPN application pursuant to HRS 457-12(a)(1), (6), (11) and HAR 16-89-60(1):

**Nadia M. Chery
Fanhiola Dorneval
Ginou Desplumes
Marie Beatrice Fils-aime**

Upon a motion by Dr. Napoleon, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the following application for LPN license:

Tonja Bruce

Registered Nurses

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

Walna Delome

Upon a motion by Dr. Napoleon, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the following applications for RN license:

**David Assid
Remy-James Martin
Jeremi Johnson
Julie Fox**

Advanced Practice Registered Nurse

Upon a motion by Dr. Napoleon, seconded by Ms. Stone Murai, it was voted on and unanimously carried to approve the APRN application for the following individual:

Julie Fox

The Chair announced that the EO delegation item has been stricken from the agenda.

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

Next Meeting:

Thursday, February 2, 2023

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 10:37 a.m.

Taken and Reviewed by:

/s/ Chelsea Fukunaga

Chelsea Fukunaga
Executive Officer

LAT

01/30/2023

[X] Minutes approved as is.

[] Minutes approved with changes; see minutes of _____