

## **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 2, 2024

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/84071314142>

Zoom Phone Number: (669) 900 6833  
Meeting ID: 840 7131 4142

Recording Link: [https://youtu.be/I-S0-f\\_fqo?si=hIJNsBDgKibWb944](https://youtu.be/I-S0-f_fqo?si=hIJNsBDgKibWb944)

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

Members Present: Carrie Oliveira, Chair  
Diana Jill Riggs, RN, MSN, Vice Chair  
Karen Boyer, RN, MS, FNP  
Sheri Shields-Hanson, MSN, RN  
Bradley Kuo, DNP, APRN, FNP-BC, CARN-AP, PMHNP  
Terrence Aratani, Public Member

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

Guests: Laura Reichhardt, Executive Director, Hawai‘i State Center for Nursing  
Jeremy Creekmore, President, Hawai‘i Association of Professional Nurses  
Gregory Parker  
Nicole Belony  
Lynn Welch, MD  
Joy Litaba  
Daniel Kutzin  
Kathleen Freeman  
JG

Jodi Frances Rowlett

Virtual Meeting  
Instructions:

A short video regarding virtual meetings was played for attendees.

The Chair noted that Nicole Belony raised her hand and explained to Ms. Belony that if she wants to address the Board regarding her application which the Board will be addressing later on the agenda.

Ms. Belony unraised her hand.

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.

After taking roll, quorum was established, and the meeting was called to order at 9:07 a.m.

Chair's Report:

The Chair had no report or announcements.

Approval of Minutes:

**Approval of the Minutes of the Open Session, Executive Session and Public Hearing Minutes of the April 4, 2024 Meeting**

The Chair asked if there were any corrections/amendments in regard to the minutes of the April 4, 2024 meeting, including the executive session minutes and the minutes for the public hearing.

Seeing none, the Chair asked for a motion in regard to the minutes.

Upon a motion by Mr. Kuo, seconded by Ms. Boyer, it was voted on and unanimously carried to approve the minutes of the April 4, 2024 meeting and public hearing as circulated.

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

Executive Officer's  
Report:

**Amendments to Hawaii Administrative Rules ("HAR") Chapter 89, Relating to Nurses – Proposed Amendments to HAR §16-89-22, Pertaining to Temporary Permits – Status Report**

EO Teshima reported that she attended the Small Business Regulatory Review Board (SBRRB) meeting on April 18, 2024 to report on the public hearing.

The SBRRB agreed to pass the rule proposal on to the Governor for adoption but is on hold due to the status of SB 63.

The Chair asked if there were any questions or discussion.

There was none.

### **Random Audit – Status Report**

EO Teshima reported that she and Secretary Yoshimura reviewed 3 quarters of the 2 boxes and that she should be able to provide a final count of submissions at the next meeting.

### **2024 Legislative Session**

EO Pang reported on the status of the following legislative measures:

HB 2415, HD2, SD2 (or latest version of the bill) Relating to the Nurse Licensure Compact  
Authorizes the Governor to enter the State into the multistate Nurse Licensure Compact, which will allow a nurse who is licensed by a home state to practice under a multistate licensure privilege in each party state. Beginning 7/1/2026, requires individuals that hold a multistate nurse license issued by another state employed by a health care facility to annually complete demographic data surveys. Authorizes the State Board of Nursing to charge different fees customarily and historically charged for registered nurses and licensed practical nurses who hold a multistate license issued by the State. Takes effect 7/1/3000; provided that the Nurse Licensure Compact shall become effective and binding in the State two years after enactment of this Act. (SD2).

This measure was deferred indefinitely.

#### SB 1035, SD2, HD1 Relating to the General Excise Tax

Exempts medical and dental services provided by health care providers to patients who receive Medicaid, Medicare, or TRICARE benefits from the general excise tax. Applies to taxable years beginning after 12/31/2023. Effective 6/30/3000. (HD1)

CD1 - Exempts from the general excise tax those medical and dental services provided by health care providers to patients who receive Medicaid, Medicare, or TRICARE benefits. (CD1)

This measure passed its final reading yesterday and will be referred to the Governor.

#### SB 63, SD2, HD3 (Carryover from 2023 Legislative Session) Relating to Nurses

Authorizes the board of nursing to issue temporary permits for six-month periods to out-of-state licensed practical nurses and registered nurses or who hold a multistate license issued by another state, territory, or foreign country, under certain circumstances. Provides an exception from licensing requirements to nurses who are licensed in another state, territory, or foreign country and accompanying a patient from out-of-state for a period of less than two weeks and who are not employed or affiliated with a health care entity in the State. Appropriates funds. Effective 6/30/3000. (HD3)

The current draft of this measure, CD2, eliminates the criminal background check (fingerprinting) and the National Practitioner Data Bank Self-Query report and also requires the issuance of a temporary nurse permit within 10 business days if all the requirements have been met. At the same time, an individual applying for a temporary nurse permit may apply for a license by endorsement whereas the temporary permit may be valid for up to a year while the endorsement application is being processed. In addition, there is also an exception to the license requirements for nurses who are practicing in Hawaii for less than 2 weeks.

HCR 187/HR 167, HD1 (or latest version of the resolution) Requesting the Department of Health to Convene and Health Care Facilities Labor standards Working Group to Research, Assess, and Make Recommendations on Best Practices in Labor Standards that Can Be Implemented at Hospitals, Care Homes, and Dialysis Facilities in the State – Names the Chair of the Board of Nursing or designee, to Chair this Working Group

This resolution was amended by deleting reference to a working group to a Legislative Reference Bureau study.

The Chair asked if there was any questions or discussion and asked if there was anyone attending wishing to testify on this agenda item.

Ms. Reichhardt, Executive Director for the Hawaii State Center for Nursing asked to address the Board.

Ms. Reichhardt stated that in the latest draft of SB 63, exemption for a new nursing grad student who has not taken the NCLEX, was stricken and that hospitals were using that exemption as a way to expedite the onboarding of nursing graduates and asked if there was any discussion on this. She stated that some hospitals are hiring them as a nurse for orientation but not in a clinical role until these individuals actually take and pass the license exam and obtain a license.

EO Teshima asked how the elimination of this provision would prevent the hospitals from doing this now.

Ms. Reichhardt stated that they would have to have a more complicated HR process because they would not be able to hire someone who is not a registered nurse or has an exemption into a nursing role so they would have to create a safe role for 3 months.

EO Teshima said these individuals are no longer exempt but didn't have a license to begin with because they are still waiting to take the NCLEX so they can still be hired.

EO Teshima said perhaps the deleted exemption should be reinserted.

The Chair stated that the deleted provision referred to a nonrenewable permit.

Ms. Reichhardt stated that the dialogue that occurred last year, because it was an exemption, there wasn't an employer reporting to DCCA but they were using this exemption. So it was one of those things where the employer was using this exemption but there wasn't a permit, physical permit, piece of paper, process or form that was being utilized.

The Chair stated so this exemption was like "permission".

Ms. Reichhardt stated yes, it was like an allowance.

EO Teshima stated even though we weren't issuing a permit.

Ms. Reichhardt stated yes, they were using this exemption to competently hire people with the expectation that they could onboard them and then start their clinical practice as soon as they passed the NCLEX. So it's still a pretty conservative approach to expedite recruitment and they were not allowing these unlicensed personnel who did not take and pass the NCLEX to provide clinical services.

EO Teshima asked so they can't do this without this exemption.

The Chair stated that she thinks that they could and this feels more like a policy discretion because at the end of the day what you're doing is hiring a person, into a role, but that the nurse practice act is about the delivery of nursing care, so what you do as an administrator or HR process, you hire this person into a role but that you can't actually do anything that would be considered nursing practice until the individual has been issued a license. She doesn't believe that the deletion of this exemption prevents employers from hiring in the same way that they have been doing it.

The Vice Chair stated that it depends on how your HR is and how compliant they are because most organizations what they would do is say okay the RN II role is a new grad, RN I is licensed, but in order to hire them into an RN II, she understands how the exemption would allow this instead of the new grad being hired as a ward clerk for example.

Ms. Reichhardt said she will bring this to their CNO Committee so that they are aware and can plan for it and that she appreciates the discussion and that if the employers need to address this by statutes, they can bring it back.

EO Teshima asked Ms. Reichhardt about the HD3 for SB 63.

Ms. Reichhardt said that it looks like the Senate draft was removing it entirely and then the HD3 reinserted the exemption but removed "nonrenewable permit" so it wasn't a permit, just an exemption.

EO Teshima stated that would be her recommendation should legislation be introduced next year to reinsert the exemption for new nursing grads but remove reference to the "nonrenewable permit".

The Chair asked if there was any further discussion on this agenda item and thanked the Board staff for their work during this past Legislative session.

There was none.

### **Scam Phone Calls Targeting License Professionals**

EO Teshima reported that health professionals are receiving scam phone calls from individuals who claim that they are from the Regulated Industries Complaints Office (RICO).

The Chair read the April 17, 2024 notice posted on the PVL webpage:

The Department of Commerce and Consumer Affairs (DCCA) is advising the public to be aware of phone scammers impersonating state officials targeting licensed professionals and businesses with false threats of investigation.

Reports indicate that individuals impersonating state officials have contacted at least two current or former licensees stating that the Regulated Industries Complaints Office (RICO) had filed a complaint against them. To add credibility to the fraudulent calls, the perpetrators utilized caller ID spoofing to make it seem that the calls were coming from the DCCA Professional and Licensing Division (PVL).

The reports involve licensees in the medical professionals, a physician and psychologist, purported contacted by the Hawaii Medical Board. It is a concern that calls may be targeting medical professionals such as nurses, pharmacists, and others.

A professional or vocational licensee that is under investigation by the department would first be notified in writing from RICO, which is not affiliated with any out-of-state agency or task force. Notices from RICO are sent on official letterhead and include contact information for all RICO offices. RICO never requests private or sensitive information over the phone, solicits wire transfers, or verbally suspends licenses. Only the board has the authority to suspend a license through formal written action.

Additionally, PVL, through its 52 licensing programs, does not initiate contact with the public regarding formal investigations. The PVL programs may however contact applicants and licensees to check on the status of an application, request additional information, etc.

If you receive a suspicious call, hang up without sharing personal information. Verify the caller's legitimacy by contacting the agency using a known, verified phone number (found at <https://cca.hawaii.gov/pvl/contact/>) instead of relying on caller ID. Impersonating a public servant is a criminal offense and will be investigated and prosecuted.

If you have received any calls similar to what has been described above or are seeking to verify contact from DCCA, please call your respective licensing program or PVL at 808-586-3000. A list of programs and contact information is available at <https://cca.hawaii.gov/pvl/>.

The Chair asked if there was any questions or further discussion on this agenda item.

Seeing none, the Chair announced the next agenda item.

Reports:

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

Ms. Reichhardt reported:

- May is Nurses Month;
- May 7, 2024 webinar for well-being of the nursing workforce as reported by nurses through the nursing workforce survey that will be pod cast for CE credit;
- May 21, 2024 Policy debrief;
- In 2022 funding was received for nurse faculty professional development, particularly nurses moving into a clinical instructor position. Health Impact which is the California Center for Nursing who has partnered with Benner to put on a nurse faculty training;
- Releasing nursing workforce supply during nurses week;
- In June, Hawaii State Center for Nursing Researcher Carrie Oliveira will be receiving the very first National Forum of Nursing Workforce Centers Subscriber Award; and
- HB 1800 UH Manoa fall funding for faculty that would allow them to run a second cohort of nursing students, which totals 24.

**Hawai'i American Nurses Association – Linda Beechinor, Executive Director**

Ms. Beechinor was not available.

**Hawai'i Association of Professional Nurses – Jeremy Creekmore**

Mr. Creekmore reported:

- Elected First Executive Officer, Lindsey Takamatsu
- 2024 Legislature, supported GE tax bill, incredibly opposed NLC bill, strong support for SB 63; and
- May 18, 2024, conference in partnership with Queens and Hawaii Association of Physician Assistants (HAPA).

The Chair announced the next agenda item as applications. She explained that the Board will be moving into executive session and that if they have any questions for an applicant in attendance, that we will call you in to join the Board. She asked if any applicants attending, to please raise your hand now so that we know that you are in attendance and the Board will call you on the number indicated on your application if they have any questions.

The following applicants raised their hands:

Jodi Frances Rowlett  
Gregory Kent Parker  
Joy Litaba  
Nicole Belony

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;".

It was seconded by Mr. Kuo, voted on and unanimously carried to move into executive session at 9:36 a.m.

Upon a motion by the Chair, seconded by Ms. Shields, it was voted on and unanimously carried to move out of executive session at 10:46 a.m.

Applications:

**Ratification Lists**

The Chair moved to accept/approve the ratification list for:

LPNs – 21000-21030 (30)  
RNs – 118113 – 118636 (523)  
APRNs

The motion was seconded by Mr. Kuo, voted on and unanimously carried to accept/approve the ratification lists for LPNs, RNs and APRNs.

**Applications**

Licensed Practical Nurses

The Chair called for a motion to approve the applications for LPN license.

Upon a motion by the Vice Chair, seconded by Ms. Boyer, it was voted on and unanimously carried to approve the following applications for LPN license:

LeAnna Marie Reed  
Detrish Owen Simpson  
Dannette Butler

Registered Nurses

The Chair called for a motion in regard to the following RN applications:

Gregory Kent Parker  
Nathan Rowe  
Tamaris Udokpan  
Cynthia Durugo  
Delores Williams  
Joy Litaba  
Tynisha Kadir  
Heather Hasara  
Sulay De Leon  
Brenda Both  
Jodi Frances Rowlett  
LaQueisha Ford Johnson

Upon a motion by the Vice Chair, seconded by Ms. Shields-Hanson, it was voted on and unanimously carried to approve the aforementioned applications for RN license.



The Chair asked for a motion in regard to the following application:

Nicole Belony

Upon a motion by the Vice Chair, seconded by Ms. Boyer, it was voted on and unanimously carried to deny the application for RN license for Nicole Belony based on her application, oral testimony, and response from Herzing University, pursuant to section 457-12(a)(1), HRS.

The Chair asked for a motion in regard to the following application:

Patricia Ann Givney

Upon a motion by the Vice Chair, seconded by Mr. Aratani, it was voted on and unanimously carried to deny the application for RN license for Patricia Ann Givney based on the information regarding fraudulent transcripts, pursuant to section 457-12(a)(1), HRS.

The Chair asked for a motion in regard to the following application:

Keandra Jordan

Upon a motion by the Vice Chair, seconded by Ms. Shields-Hanson, it was voted on and unanimously carried to deny the application for RN license for Keandra Jordan, based on the information contained in her application and oral testimony pursuant to sections 457-12(a)(8) and (9), HRS.

Advanced Practice Registered Nurses (APRNs)

The Chair called for a motion in regard to the following APRN applications:

Upon a motion by the Vice Chair, seconded by Mr. Kuo, it was voted on and unanimously carried to approve the following APRN applications:

Alexander Acevedo  
Nathan Rowe (RN)

The Chair noted that applicant Jodi Frances Rowlett and Lynn Welch raised their hand.

Ms. Rowlett asked if the decision made today on her RN application also applied to her APRN application.

The Chair informed Ms. Rowlett that the Board did not have her APRN license application on today's agenda and asked if she applied.

Ms. Rowlett stated that she thought she did.

EO Pang informed Ms. Rowlett that the Board has not received an APRN application for her.

Ms. Rowlett asked if her APRN application will have to go through the same process.

The Chair informed Ms. Rowlett that she can apply for her APRN license and that application may go through the same process as the RN.

Ms. Rowlett asked if the Board met every single week.

The Chair informed Ms. Rowlett that the Board normally meets on the first Thursday of every month.

Ms. Rowlett asked so it would be a month from now when it would be decided.

EO Teshima informed Ms. Rowlett that if she did not file an application as of now, there is no guarantee that her application will be on next month's agenda and that she should submit her application as soon as possible.

Ms. Rowlett wanted to know if her application could be expedited.

EO Teshima informed Ms. Rowlett that we don't expedite applications,

Lynn Welch was promoted to panelist.

The Chair asked Ms. Welch to state her name, organization and which agenda item she is testifying on today.

Ms. Welch identified herself as Dr. Welch representing Big Island Pain and testifying on behalf of applicant Jodi Rowlett. She stated that they are desperate in Hilo for providers and that she has had to look for 4 months to get applications for candidates who could even perform the duties they need. She stated that she is beyond desperate in her location and she doesn't know how the mishap happened but she is licensed as an APRN in 5 states and that she has been monitoring the meeting and that she cannot wait another 2 months to get another provider. She stated that they are desperate and will be facing a crisis on their island if she doesn't have a licensed provider and asked what they need to do to move this along.

EO Teshima stated that we don't even have an application and that she didn't even apply.

Dr. Welch stated that she is assuming that that was a mistake on her end and that she apologizes for that but that she is asking if the application is submitted today, she is licensed in multiple states, what can they do so they are not waiting as she has 1 part-time physician and she flies back and forth and they have over 500 patients and she is so short to even see these patients who may end up in the emergency room.

The Chair informed Dr. Welch that she appreciates that there is a health workforce crisis in this State but a workforce crisis does not enable the Board to depart from our typical license processing protocols so this really must begin with the applicant submitting the application for APRN licensure that will be processed in accordance with our typical license process. She apologized to Dr. Welch.

Dr. Welch said she was just asking if there was anything in that normal process that would prevent having to wait another 2 months and asked if all applications come before the Board.

The Chair informed Dr. Welch that no, not all applications are reviewed by the Board and that this was a case that required the Board's review and that the best advice she can give her is that the application needs to be complete and free from deficiencies so that the application can move through the process smoothly.

EO Teshima informed Dr. Welch that for an APRN license application, we require proof of the individual's graduate-level degree in nursing, current national certification, NPDB self-query report for APRN licenses and license verification of all APRNs license held or current and that she will waive the criminal background check since she did for RN license application and doesn't have to redo that but the application and other documents must be submitted.

Dr. Welch asked if there was another email that she can follow-up on besides the general nursing email box as they have been in touch with Kelly.

EO Teshima said she is not familiar with a Kelly.

Dr. Welch stated it was someone who answered the nursing board phone line.

EO Teshima asked Dr. Welch to email the nursing board regarding today's discussion.

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

Next Meeting:           Date:           Thursday, June 6, 2024  
                                  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

Ms. Shields-Hanson stated that she will be attending virtually.

The Chair stated that she may be out of town but will let staff know for sure.

Adjournment:         The meeting was adjourned at 10:59 a.m.

Taken by:

Reviewed by:

/s/ Lee Ann Teshima  
Lee Ann Teshima  
Executive Officer

/s/ Alexander Pang  
Alexander Pang  
Executive Officer

Minutes approved as is.

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

4/23/24