



## Hawai'i Advanced Practice Registered Nurse Legislative & Practice History

### 1980s

1980s – Under the Nursing Practice Act, each state regulated the practice of nurses. Little delineation made regarding specific scopes of practice for each education level of nurses (LPNs –APRNs). Lack of uniformity existed in minimum-entry education levels or certification processes (NCSBN, 2013).

1986 – [NCSBN Position Paper on Advanced Clinical Nursing Practice](#) – National Council of State Boards of Nursing (NCSBN) releases position statement which reports that there is still a lack of uniformity in regulation of advanced clinical nursing practice. The position paper also includes: (1) a definition of advanced clinical nursing practice, (2) establishes that the minimum education level should be a master's degree, and (3) discusses key factors individuals states should consider when establishing regulation of advanced clinical nursing practice.

### 1990s

1993 – [NCSBN Position Paper on Regulation of Advanced Nursing Practice](#) – The NCSBN opens this paper with reporting that much of what was addressed in the 1986 position paper is still valid. The paper reports an increased need for state boards to create clear regulation for APRNs due to the evolving role of the APRN. The paper acknowledges that as the role of the APRN continues to grow it is increasingly overlapping with the role of the physician causing confusion among healthcare providers and the public.

1994 Hawai'i Act 277, SLH 1994 (H.B. No. 3212) – This measure required the Hawai'i Board of Nursing (HI BON) to grant recognition of APRNs. The genesis for this measure was directly related to third party reimbursement and the federal government's requirement that APRNs be first recognized by their state board of nursing before they could be reimbursed. (Effective July 5, 1994) (link to archive documents not available)

1995 Hawai'i Act 88, SLH 1995 – This measure clarified the Board's authority to adopt, amend or repeal rules relating to the practice of nursing and the delegation of nursing tasks.

1996 Hawai'i Act 150 Section 4 – Appears in Hawai'i Revised Statutes (HRS)



Chapter 457 -8.5 in list of Acts that have amended this section. (Effective June 12, 1996)

1998 Hawai‘i Act 279, SLH 1998 – Repealed the provisions in Part XXXI of HRS §321, that require certified nurse midwives (“CNMs”) to be licensed by the Hawai‘i Department of Health. It also mandated that the CNMs be recognized as APRNs under HRS §457, HRS and required the HI BON to recognize qualified CNMs and APRNs. (Effective July 20, 1998)

## 2000s

2000 Hawai‘i [Act 8, SLH 2000](#) (HB2463 HD1) – Requires applicants for advanced practice registered nurse (APRN) recognition to have an unencumbered APRN recognition or similar designation in all other states in which the nurse has a current and active recognition as an APRN. (Effective April 6, 2000)

2002 Hawai‘i [Act 192, SLH 2002](#) (HB2065 HD1 SD1 CD1) – Authorizes the board of nursing to grant prescriptive authority to APRNs and to designate formularies. This Act also established the Joint Formulary Advisory Committee (“JFAC”) consisting of two pharmacists, three physicians and three APRNs. (Effective June 25, 2002)

2004 – [NCSBN Model Act](#) – Adopted to set a guideline for individual states’ boards of nursing to aid in state level nurse practice acts. Note: this document is revised annually – 2012 version is hyperlinked to this document.

2004 – [AACN Position Statement on the Practice Doctorate in Nursing](#) recommends the doctorate of nursing become the terminal degree for APRNs by 2015.

2004 Hawai‘i [Act 88, SLH 2004](#) ([SB2899 SD2 HD1](#)) – Clarifies licensure, renewal, and reporting requirements. Repeals obsolete provisions. Requires Board of Nursing to report on findings regarding the Commission on Foreign Nursing Schools and English proficiency examinations and their effect on nurse shortage and licensure. (Effective May 25, 2004)

2004 Hawai‘i [Act 150, SLH 2004](#) ([SB3085 SD2 HD2 CD1](#)) – Removes the June 30, 2004, sunset date of Act 192, SLH 2002, which provides prescriptive authority for advanced practice registered nurses and requires that Hawai‘i Department of Commerce and Consumer Affairs (HI DCCA) establish a Joint Formulary



Advisory Committee. (Effective June 29, 2004)

2005 Hawai'i [Act 30, SLH 2005 \(HB 118\)](#) – Clarifies the law authorizing prescriptive authority to qualified advanced practice registered nurses. Amends HRS §457-8.6 by repealing the “collegial” working relationship to “The appropriate” working relationship. (Effective April 26, 2005)

2008 – [Consensus Model for APRN Regulation](#) – 48 Professional nursing and healthcare organizations endorse the Consensus Model for APRN Regulation which sets the standards for uniform APRN licensure, accreditation, certification, and education.

2009 Hawai'i [Act 169, SLH 2009](#) – Adopted by Hawai'i Legislature to clarify APRN practice and: (1) Recognize APRNs as primary care providers for insurance purposes. (2) Recognize APRNs with Global signature authority. This recognition authorized APRNs to sign documents pertaining to worker's compensation, department of education and human services verification and assessment forms, and all relevant documentation within APRN scope of practice. One important exception identified – APRNs not granted authority to sign or endorse certificates of disability to allow individuals with disabilities to be granted disabled parking privileges. (3) Transfer the authority on APRNs formulary to the Hawai'i Board of Nursing from the Hawai'i Medical Board. (Effective July 2, 2009)

## 2010s

2010 Hawai'i [Act 57, SLH 2010](#) – Clarifies the scope of practice for APRNs. This important Act helped align Hawai'i's Nurse Practice Act with the recommendations set forth in the NCSBN's Model Act. Nurse leaders in Hawai'i had foresight to reference the NCSBN Model Act vs. include the specific language in the ACT, this allows for updates in Hawai'i's Nurse Practice Act as the NCSBN continues to modify the Model Act without further legislative changes. (Effective April 24, 2010)

2010 Hawai'i Administrative Rules (HAR) [§16-89-75 thru §16-89-97 Sub Chapter 14](#) – HAR §16-89 revised to include: (1) clarification of APRN practice specialties into four roles (Nurse practitioner (NP), Certified registered nurse anesthetist (CRNA), Certified nurse-midwife (CNM), and Clinical nurse specialist (CNS). (2) Clarify requirements for recognition as an APRN. (3) Recognize national certifying body certifications. (4) Clarify requirements for renewal of recognition



as an APRN.

2011 Hawai'i [Act 110, SLH 2011](#) – Adopted by Hawai'i Legislature to: (1) Require all Hawai'i hospitals to allow APRNs to practice the full scope of practice allowed under the Hawai'i Nurse Practice Act which includes serving as a primary care providers, (2) Grant APRN full prescriptive authority including prescribing controlled drugs (Schedule II-V), (3) Allow APRNs to dispense manufacturers' medication samples (including non-controlled and OTC medications; excludes controlled substances). (Effective June 14, 2011)

2011 – The University of Hawai'i responds to the AACN's recommendation to increase the level of education of APRNs by developing the first two doctor of nursing practice degree programs in the state. The Board of Regents (BOR) approved the programs in May, 2011.

2013 Hawai'i [Act 19, SLH 2013 \(HB 79\) & SB 198](#)– Existing legislature allows nurses prepared with a master's degree in nursing only to be eligible for recognition as an APRN. HB 79 and SB 198 call for an ACT to be adopted to change language regarding the required educational preparations of APRNs to include the doctor of nursing practice degrees. (Effective April 18, 2013)

2013 Hawai'i [Act 232, SLH 2013](#) – Bill to add APRNs to the healthcare providers allowed to assess if an individual needs care and or treatment for mental health or substance abuse issues. Prior legislation limited authority to make this decision to physicians, physician assistants, and psychologists. (Effective June 27, 2013)

2013 Hawai'i [Act 250, SLH 2013](#) – Allows healthcare providers in Hawai'i to provide partners of individuals who test positive for sexually transmitted infections (STIs) to be treated for these infections without prior medical evaluation. This bill specifically names APRNs among the healthcare providers to be granted this prescriptive authority. (Effective July 1, 2013)

2013 Hawai'i [SR 34, SD2 SCR 66 SD2 & HCR53 HD1](#) – Request for the Hawai'i State Center For Nursing to convene a working group composed of various state agencies to identify barriers relating to the practice of APRNs. Hawai'i Legislature recognized that Hawai'i has passed several laws to increase APRNs' scope of practice, yet APRNs were still restricted due to State Department statutes with outdated provisions relating to APRN practice. SR 34 was adopted.



2013 United States [H.R.2986](#) – 113<sup>th</sup> Congress: Protecting Access to Primary Care Act. Act to include primary care services provided by APRNs in the Medicare “payment rate floor.”

2013 United States [S.1143](#) – 113<sup>th</sup> Congress: Protecting Access to Rural Therapy Services (PARTS) Act. Act that changed the Social Security Act to include APRNs in the practitioners authorized to supervise therapeutic hospital outpatient services

2013 United States [S.1332](#) – 113<sup>th</sup> Congress: Home Health Care Planning Improvement Act. Act to amend title XVIII (Medicare) of the Social Security Act to include APRNs as providers eligible for reimbursement for home health services.

2014 Hawai‘i [Act 045, SLH 2014](#) – Amends various obsolete sections of the Hawai‘i Revised Statutes by aligning them with Hawai‘i legislation passed between 2009- 2011 by removing practice barriers to enable APRNs to practice to the fullest extent of their training and education. (Effective April 23, 2014)

2014 Hawai‘i [Act 046, SLH 2014](#) – Replaces references to APRN recognition with APRN licensure to align Hawaii's law with NCSBN standards. Hawai‘i became the 8<sup>th</sup> state in the Nation to meet the requirements of the NCSBN [APRN Consensus Model](#). (Effective April 23, 2014)

2014 Hawai‘i [Act 062, SLH2014](#) – Amends the composition of the Hawai‘i State Center for Nursing advisory board by decreasing the number of members on the center for nursing advisory board to nine; specifying the membership of the advisory board to better facilitate the center for nursing's mission; and clarifying term limits and appointments to the advisory board. Amends certain powers and duties of the advisory board. Aligns board membership with other boards of [The National Forum of Nursing Workforce Centers](#). (Effective April 30, 2014)

2014 Hawai‘i [Act 154, SLH 2014](#) – Increases access to POLST by updating references from "physician orders for life-sustaining treatment" to "provider orders for life-sustaining treatment" throughout chapter 327K, HRS; expanding health care provider signatory authority to include advanced practice registered nurses; and correcting inconsistencies over terms used to describe who may sign a POLST form on behalf of a patient. (Effective July 1, 2014)

2014 Hawai‘i [Act 159, SLH 2014](#) – Requires reimbursement for services provided through telehealth to be equivalent to reimbursement for the same services



provided via face-to-face contact between a health care provider and a patient. Clarifies that a health care provider of telehealth includes primary care providers, mental health providers, and oral health providers such as physicians and osteopathic physicians, advanced practice registered nurses, psychologists, and dentists. Amends references to "telemedicine" in the Hawai'i Revised Statutes to "telehealth" for consistency. (Effective June 30, 2014)

2015 Hawai'i [Act 27, SLH 2015](#) – Clarifies the role of advanced practice registered nurses in HRS sections relating to emergency hospital admission and involuntary hospitalization. (Effective May 1, 2015)

2016 Hawai'i [Act 18, SLH 2016](#) – Allows the Hawai'i BON to share nurse license information with Nursys. (Effective April 26, 2016)

2016 Hawai'i [Act 92, SLH 2016](#) – Repeals the joint formulary advisory committee (JFAC) making the Hawai'i BON the sole authority to determine the formulary or exclusionary formulary for APRNs with prescriptive authority. (Effective June 21, 2016)

2016 Hawai'i [Act 97, SLH 2016](#) – Requires submittal of electronic fingerprints for criminal history record checks from nurse licensure applicants and nurse licensure renewal applicants. Authorizes the Board of Nursing to conduct investigations of applicants for licensure, renewal, and reactivation, request criminal history records of qualified applicants, and request criminal history records of persons issued licenses. (Effective July 1, 2016)

2016 Hawai'i [Act 115, SLH 2016](#) – Requires every physician, osteopathic physician, physician assistant, advanced practice registered nurse, and naturopathic physician to provide the applicable licensing authority with a current electronic mail address when applying for or renewing a license. Restricts the permissible disclosure and use of electronic mail addresses by licensing authorities. Requires that laboratory data reported to the Department of Health regarding an individual affected by or suspected of being affected by a communicable or dangerous disease or condition include the individual's complete demographic information. (Effective July 1, 2016)

2016 Hawai'i [Act 183, SLH 2016](#) – Amends and updates HRS statutes to clarify the role of APRNs with regards to their authority and participation in the health care system. Amends definitions in the statutes to conform to the duties and responsibilities of APRNs. (Effective July 1, 2016)



2016 Hawai'i [Act 218, SLH 2016](#) – Updates the Uniform Controlled Substances Act to make it consistent with amendments in federal controlled substances law. Clarifies existing definitions to be consistent with federal controlled substances law; and adds new definitions to allow the use of “delegates” by practitioners and pharmacists to access the electronic prescription accountability system. Requires all practitioners, except veterinarians, and pharmacies register to utilize the electronic prescription accountability system when they obtain a controlled substance registration. (Effective July 1, 2016)

2016 Hawai'i [Act 230, SLH 2016](#) – Provides that advanced practice registered nurses may certify patients for medical marijuana use. (Effective July 1, 2016)

2016 United States Code [Full Practice Authority for Veterans Administration to Advanced Practice Registered Nurses](#) – The Department of Veterans Affairs (VA) promulgated rules to amend the Code of Federal Regulations (CFR) to permit full practice authority to three roles of VA APRNs to practice to the full extent of their education, training, and certification, regardless of State restrictions, except for State statutes and laws regarding controlled substance prescriptions.

2017 Hawai'i [Act 066, SLH 2017](#) – Requires prescribing healthcare providers to adopt and maintain policies for informed consent to opioid therapy in circumstances that carry elevated risk of dependency. Establishes limits for concurrent opioid and benzodiazepine prescriptions. Clarifies Board of Nursing authority to enforce compliance with Uniform Controlled Substances Act. (Effective July 1, 2017)

2017 Hawai'i [Act 088, SLH 2017](#) – Allows advanced practice registered nurses to offer care and mental health services relating to minors and patients in assisted community treatment programs similar to care and services offered by physicians and other health care service providers. (Effective July 5, 2017)

2017 Hawai'i [Act 153, SLH 2017](#) – Amends the definition of "physician" in workers' compensation law to include APRNs. (Effective July 10, 2017)

2018 Hawai'i [Act 43, SLH 2018](#) – Allows APRNs, pharmacists, and physicians to receive income tax credits for acting as preceptors in volunteer-based supervised clinical training rotations provided to eligible students that enable the students to obtain an eligible healthcare professional degree or certificate. (Effective June 13, 2018)



2018 Hawai'i [Act 116, SLH 2018](#) – Allows APRNs to certify in writing that the potential benefits of the medical use of cannabis would likely outweigh the health risks for the particular qualifying patient. (Effective July 1, 2018)

2018 Hawai'i [Act 153, SLH 2018](#) – Requires prescribers of certain controlled substances to consult the State's Electronic Prescription Authority System before issuing a prescription for the controlled substance, under certain circumstances. Provides that a violation by a prescriber shall not be subject to criminal penalty provisions but that a violation may be grounds for professional discipline. (Effective July 1, 2018. Repeals June 30, 2023)

2018 Hawai'i [Act 162, SLH 2018](#) – Permits advanced practice registered nurses to certify an employee's disability. Increases the penalty an employer is assessed for failing to submit timely wage and employment information. (Effective July 10, 2018)

2019 Hawai'i [Act 32, SLH 2019](#) - Establishes licensure of midwives. Temporarily exempts birth attendants and exempts Native Hawaiian healers from licensure requirements. Establishes task force. Appropriates funds. Certified Nurse Midwives are exempt from this act, as "a person may practice midwifery without a license to practice midwifery if the person is a certified nurse-midwife holding a valid license under chapter 457."

2019 Hawai'i [Act 205, SLH 2019](#) - Establishes the advanced practice registered nurse medical leadership working group chaired by the department of health to research and make recommendations regarding advanced practice registered nurses' eligibility for medical leadership positions.

2019 Hawai'i [Act 251, SLH 2019](#) - Specifies that a health care provider shall not be required to consult the electronic prescription accountability system for patients when the prescription will be directly administered under the supervision of a health care provider, provided that the system is consulted when the patients are initially admitted at a hospital, for patients in post-operative care with a prescription limited to a three-day supply, or for patients with a terminal disease receiving hospice or other palliative care.

2019 Hawai'i [Act 262, SLH 2019](#) - Appropriates funds for the Health Care Provider Loan Repayment Program administered through the John A. Burns School of Medicine of the University of Hawai'i at Mānoa; provided that the funds are matched on a dollar-for-dollar basis by a private or another public source.



2019 Hawai'i [Act 279, SLH 2019](#) - Repeals defaults on student loans, student loan repayment contracts, and scholarship contracts as grounds for sanctioning professional and vocational licensee.

### Sources:

**Sarah Smith**, Ph.D, MSNed, RNC-OB, Taking a Look Back as We Move Forward: The History of APRN Education, Practice, & Policy, 2013

Hawai'i State Capitol <http://capitol.hawaii.gov/>

Hawai'i Revised Statues