



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Written Testimony Presented Before the  
House Committee on Consumer Protection & Commerce  
February 11, 2016 at 5:00 p.m.

by  
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and  
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### HB 1756 HD1 – RELATING TO NURSING

Chair McKelvey, Vice Chair Woodson, and members of the House Committee on Consumer Protection and Commerce, thank you for this opportunity to provide testimony in strong support of this bill, HB 1756 HD1, with amendments.

In 2010, Act 57 was enacted into law as HRS 457-2.5. This statute defined the practice of nursing and directed the state board of nursing to adopt certain provisions of the National Council of State Boards of Nursing (NCSBN) Model Nursing Practice Act which provides uniform national guidelines relating to nursing practice for all state boards of nursing across the United States and territories.

The University of Hawai'i at Mānoa School of Nursing and Dental Hygiene (SONDH) supports HB 1756 HD1 in the interest of continuing to uphold nurses in Hawai'i to the national standards established by the NCSBN and its delegates. Further, the SONDH supports HB 1756 HD1 because:

- Hawai'i leads in ensuring optimal regulation for nursing yet Hawai'i is one of the last 12 states to adopt state and federal criminal background check verification for all nurse licenses.
- It is in the interest of the nursing workforce to ensure safe and quality nursing services to patients, which include sick, disabled, elderly, and other vulnerable populations across the continuum of healthcare and in all regions of our State.
- Establishing criminal background checks is one means to enhancing public safety in Hawai'i by increasing the accuracy of the information the Hawai'i Board of Nursing (HBON) uses in their review of applicants and HBON activities related to HRS 457- 12 Discipline; grounds; proceedings; hearings.
- NCSBN<sup>1</sup> proposes this standard, for all states to adopt, to require a biometrics-based state and federal criminal background check for all applicants consistent with Public Law 92-544.

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<sup>1</sup> [https://www.ncsbn.org/NCSBN\\_Approved\\_Standard\\_CBC.pdf](https://www.ncsbn.org/NCSBN_Approved_Standard_CBC.pdf)

- The American Nurses Association<sup>2</sup> and the Council of State Governments<sup>3</sup> supports the use of criminal background checks as part of the nursing licensure process. Applicants for nurse licensure with criminal histories may not reveal a positive criminal history on applications and fingerprint-based background checks are an effective tool to identify past criminal behavior and ensure ongoing patient safety.

Additionally, SONDH supports the BON in their recommendation regarding SECTION 2 referring to HRS §457-5 (Page 3 lines 9-11) and its related content and SECTION 7 referring to HRS §846-2.7 (Page 21 lines 16-19).

Therefore, the SONDH respectfully requests that HB 1756 HD1 pass amended. We appreciate your continuing support of nursing in Hawai'i. Thank you for the opportunity to testify.

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<sup>2</sup> <http://www.nursingworld.org/DocumentVault/Position-Statements/Practice/Criminal-BackgroundChecks-for-Nurse-Licensure.pdf>

<sup>3</sup> [https://www.ncsbn.org/CSG\\_Resolution.pdf](https://www.ncsbn.org/CSG_Resolution.pdf)