

# Final Draft

(H.B. 484, S.D.2, C.D.1)

## Hawai`i 2010 Regular Legislative Session

- Each hospital in the State licensed under Hawai`i Revised Statutes (HRS), § 321-14.5 is required to allow<sup>1</sup> APRNs<sup>2</sup> and qualified APRNs granted prescriptive authority<sup>3</sup> to:
  1. practice within **the full scope of practice authorized under Hawai`i Nurse Practice Act, HRS § 457** to include acting as a primary care provider.
- APRNs granted prescriptive authority to prescribe controlled drugs (Schedule II-V) within formulary appropriate to the APRN's specialty<sup>4</sup>. **do not** need a working relationship with a licensed physician (*Non-controlled/legend<sup>5</sup> drugs without collegial agreement authorized in 2010*)
- The APRN formulary remains under the purview of the Hawaii State Board of Nursing
- The Hawaii State Department of Commerce will retain the Joint Formulary Advisory Committee which recommends changes to the formulary for the BON's consideration

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<sup>1</sup> APRNs who choose to work in other non-APRN positions can continue to do so

<sup>2</sup> Recognized by the Hawaii Board of Nursing pursuant to section 457-8.5, HRS

<sup>3</sup> Granted prescriptive authority by the Hawaii Board of Nursing pursuant to section 457-8.6, HRS

<sup>4</sup> Act 157, Session Laws of Hawaii, 2010 allowed APRNs to prescribe drugs used in their specialty area

<sup>5</sup> Act 157, Session Laws of Hawaii 2010 authorized APRNs recognized by the Hawaii Board of Nursing to prescribe non-controlled/legend drugs without physician agreement. APRNs are recognized as PCPs.

- APRNS can request, receive, and dispense manufacturers' prepackaged samples of over the counter and non-controlled legend drugs to patients under their care; provided that an advanced practice registered nurse shall not request, receive, or sign for professional controlled substance samples.

## Act 110, Session Laws of Hawaii 2011

(new language in blue; deleted language in yellow & struck through)

“ SECTION 1. Chapter 323, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§323- ; Practice by advanced practice registered nurses. Each hospital in the State licensed under section 321-14.5 shall allow advanced practice registered nurses recognized pursuant to section 457-8.5 and qualified advanced practice registered nurses granted prescriptive authority pursuant to section 457-8.6 to practice at the hospital within the full scope of practice authorized under chapter 457, including practice as a primary care provider."

SECTION 2. Section 457-8.6, Hawaii Revised Statutes, is amended to read as follows:

"§457-8.6 Prescriptive authority for advanced practice registered nurses.

(a) The board shall grant prescriptive authority to qualified advanced practice registered nurses and shall designate the requirements for advanced nursing practice related to prescriptive authority. The board shall determine the exclusionary formulary for qualified advanced practice registered nurses who are granted prescriptive authority.

(b) The department of commerce and consumer affairs shall establish a joint formulary advisory committee composed of:

(1) Two persons licensed as advanced practice registered nurses and

- appointed by the board;
- (2) Two persons licensed in medicine by the Hawaii medical board and appointed by the Hawaii medical board;
  - (3) Three persons licensed as pharmacists and appointed by the board of pharmacy;
  - (4) One representative of the University of Hawaii John A. Burns school of medicine appointed by the dean of the University of Hawaii John A. Burns school of medicine; and
  - (5) One representative from a school of nursing with an advanced practice registered nurse program.

The joint formulary advisory committee shall recommend the applicable formulary for persons recognized under this section. The board shall consider the recommendations of the joint formulary advisory committee in adopting the formulary. ~~[The appropriate working relationship with licensed physicians shall be reflected in rules adopted by the board in accordance with chapter 91.]~~

(c) The board shall establish ~~[nursing]~~ requirements for advanced practice registered nurses' education, experience, and national certification pursuant to rules adopted in accordance with chapter 91.

(d) Advanced practice registered nurses shall be considered qualified if they have met the requirements of section 457-8.5(a), and have met the advanced pharmacology requirements for initial prescriptive authority pursuant to rules adopted by the board. Only qualified advanced practice registered nurses authorized to diagnose, prescribe, and institute therapy or referrals of patients to health care agencies, health care providers, and community resources and, only as appropriate~~[,]~~ to the practice specialty in which the advanced practice nurse is qualified, may:

- (1) Prescribe and administer over the counter ~~[and]~~ drugs, legend drugs, and controlled substances pursuant to this chapter and to chapter 329~~;~~ ~~and~~

request, receive, and dispense manufacturers' prepackaged samples of over the counter and non-controlled legend drugs to patients under their care; provided that an advanced practice registered nurse shall not request, receive, or sign for professional controlled substance samples;

- (2) Prescribe, order, and dispense medical devices and equipment; and
- (3) Plan and initiate a therapeutic regimen that includes nutritional, diagnostic, and supportive services including home health care, hospice, and physical and occupational therapy."

**IMPORTANT INFORMATION FROM THE NATIONAL COUNCIL OF STATE BOARDS OF NURSING (NCSBN)**

**The NCSBN' APRN Consensus Model Toolkit ([ncsbn.org](https://www.ncsbn.org) under APRN Initiatives, provide valuable information regarding APRN practice. Hawaii's APRN requirements are consistent with the APRN Consensus Model .**