

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii  
Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred H.C.R. No. 150 entitled: "HOUSE CONCURRENT RESOLUTION URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO AMEND TITLE 16, CHAPTER 89, OF THE HAWAII ADMINISTRATIVE RULES TO PROHIBIT REGISTERED NURSES FROM DELEGATING THE INTERPRETATION OF DIAGNOSTIC LABORATORY RESULTS TO UNLICENSED ASSISTIVE PERSONNEL,"

begs leave to report as follows:

The purpose of this measure is to urge the Department of Commerce and Consumer Affairs to amend the appropriate Hawaii Administrative Rules to prohibit registered nurses from delegating the interpretation of diagnostic laboratory results to unlicensed assistive personnel.

Your Committee received testimony in support of this measure from three individuals. Your Committee received comments on this measure from the Board of Nursing and Hawai'i State Center for Nursing.

Your Committee finds that registered nurses are permitted to delegate certain nursing care tasks, functions, and activities to unlicensed assistive personnel so long as the delegation complies with applicable state and federal laws and does not include the practice-pervasive functions of assessment, evaluation, and nursing judgment. Your Committee further finds that medical diagnostic errors occur in all areas of medical practice, with approximately twelve million people in the United States affected by medical diagnostic errors every year. Although national guidelines prohibit nurses from delegating activities that involve nursing judgment or critical decision making, your Committee finds that this type of delegation is not explicitly prohibited in the relevant Hawaii Administrative Rules.

Your Committee has amended this measure by:

(1) Changing its title to read: "URGING THE DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS TO REVISIT TITLE 16, CHAPTER 89, OF THE HAWAII ADMINISTRATIVE RULES TO PROHIBIT REGISTERED NURSES FROM DELEGATING THE INTERPRETATION OF DIAGNOSTIC LABORATORY RESULTS TO UNLICENSED ASSISTIVE PERSONNEL.";

(2) Including the Governor as a recipient of a certified copy of this measure; and

(3) Making a technical, nonsubstantive amendment for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee concurs with the intent and purpose of H.C.R. No. 150, as amended herein, and recommends that it be referred to your Committee on Consumer Protection & Commerce in the form attached hereto as H.C.R. No. 150, H.D. 1.

Respectfully submitted on behalf of the members of the Committee on  
Health, Human Services, & Homelessness,

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RYAN I. YAMANE, Chair