

Honolulu, Hawaii

Feb 29 , 2008

RE: H.B. No. 3109

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fourth State Legislature  
Regular Session of 2008  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 3109 entitled:

"A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS,"

begs leave to report as follows:

The purpose of this bill is to protect eyewear consumers by requiring persons who sell non-corrective contact lenses to be licensed dispensing opticians.

The Department of Commerce and Consumer Affairs' Regulated Industries Complaints Office (RICO), Professional Vocational Licensing Division, and Board of Examiners in Optometry testified in support of this bill.

The Food and Drug Administration currently regulates contact lenses, including decorative, non-corrective lenses, as medical devices rather than cosmetic devices. However, RICO has testified that there are reports on the state level of non-corrective contact lenses being sold at venues such as swap meets by individuals who are not licensed as dispensing opticians. This bill authorizes RICO to take action against unlicensed sellers of non-corrective contact lenses.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 3109 and recommends that it pass Third Reading.

HB3109 HSCR CPC HMS 2008-2707



Respectfully submitted on  
behalf of the members of the  
Committee on Consumer  
Protection & Commerce,



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ROBERT N. HERKES, Chair



