

Honolulu, Hawaii

Feb 11, 2010

RE: H.B. No. 2029
H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fifth State Legislature
Regular Session of 2010
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred H.B. No. 2029 entitled:

"A BILL FOR AN ACT RELATING TO PROFESSIONS AND OCCUPATIONS,"

begs leave to report as follows:

The purpose of this bill is to streamline government by:

- (1) Repealing the regulatory programs for marriage and family therapists, dispensing opticians, occupational therapists, athlete agents, hearing aid dealers and fitters, and electrologists; and
- (2) Transferring the responsibility for regulating the occupations of barbering and cosmetology, and speech pathology and audiology, from the regulatory boards to the Department of Commerce and Consumer Affairs (DCCA).

The Board of Barbering and Cosmetology, Hawaii Medical Association, Hawaii Pacific Health, American Physical Therapy Association - Hawaii Chapter, Occupational Therapy Association of Hawaii, and numerous concerned individuals testified in opposition to this bill. DCCA, the Board of Speech Pathology and Audiology, Hawaii Medical Service Association, and American Occupational Therapy Association, Inc., provided comments.



This bill seeks to enhance DCCA's efficiency by deregulating six professions and vocations and eliminating certain boards. Numerous testifiers expressed concerns regarding the potential impact of this bill on the quality of regulated services and consumer protections. Based on this testimony and upon further consideration, your Committee has amended this bill by:

- (1) Restoring the regulatory programs for occupational therapists and dispensing opticians;
- (2) Restoring the Board of Speech Pathology and Audiology;
- (3) Repealing the regulatory program for barbers and cosmetologists; and
- (4) Making technical, nonsubstantive amendments for clarity and style.

As amended, this bill now repeals the regulatory programs for:

- (1) Barbers and cosmetologists;
- (2) Marriage and family therapists;
- (3) Athlete agents;
- (4) Hearing aid dealers and fitters; and
- (5) Electrologists.

In addition, the bill as amended no longer transfers regulatory authority from any board to DCCA.

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. 2029, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2029, H.D. 1, and be referred to the Committee on Finance.



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



ROBERT N. HERKES, Chair



