

JAN 21 2011

A BILL FOR AN ACT

RELATING TO HEALTH.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that, in the spirit of
2 the public's right-to-know, the disclosure of restaurant
3 inspection results creates a powerful economic incentive for all
4 types of restaurants to improve public health and safety.
5 Consumers deserve to eat in clean and safe establishments.
6 Having access to inspection reports online will enable consumers
7 to make informed choices for their health and safety. In
8 addition, a positive report will create greater economic
9 incentives and increase a restaurant's willingness to provide a
10 safe and healthy eating establishment.

11 The legislature further finds that there are nearly seven
12 thousand five hundred food establishments in Hawaii that must be
13 inspected every year. The department of health has only
14 twenty-six sanitarians island-wide, who are additionally tasked
15 with inspecting tattoo parlors, beauty salons, massage parlors,
16 laundromats, public pools, and mortuaries. These state
17 sanitarians are responsible for an average of three hundred



1 fifty food establishments each, twice the number recommended by
2 the United States Food and Drug Administration.

3 The purpose of this Act is to require the department of
4 health to publish food establishment violations on its website
5 each month, to appropriate funds for a minimum of ten additional
6 sanitarians, and to appropriate funds for the enhancement of the
7 environmental health services division information management
8 system.

9 SECTION 2. Section 321-4.5, Hawaii Revised Statutes, is
10 amended to read as follows:

11 "[+]§321-4.5[+] (a) **Inspection of food establishments.**

12 Inspections of food establishments [may] shall be performed only
13 by a registered sanitarian or a food and drug inspector.

14 (b) An inspection report shall be issued for each food
15 establishment and shall be submitted to the department and the
16 owner of the establishment.

17 (c) Each inspection report that includes a violation of
18 the sanitation rules adopted by the department shall be posted
19 monthly on the department's website. The owner of the food
20 establishment may request in writing one follow-up inspection to
21 cure the violation posted. The follow-up inspection shall be
22 conducted within thirty days of the receipt of the written



1 request on an unspecified date during regular business hours.
2 The report shall remain on the website until the violation has
3 been cured by a positive inspection report."

4 SECTION 3. There is appropriated out of the general
5 revenues of the State of Hawaii the sum of \$ or so
6 much thereof as may be necessary for fiscal year 2011-2012 and
7 the same sum or so much thereof as may be necessary for fiscal
8 year 2012-2013 for a minimum of ten new sanitarian positions.

9 The sums appropriated shall be expended by the department
10 of health for the purposes of this Act.

11 SECTION 4. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$ or so
13 much thereof as may be necessary for fiscal year 2011-2012 and
14 the same sum or so much thereof as may be necessary for fiscal
15 year 2012-2013 for the enhancement of the environmental health
16 services division information management system.

17 The sums appropriated shall be expended by the department
18 of health for the purposes of this Act.

19 SECTION 5. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

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1 SECTION 6. This Act shall take effect on July 1, 2011.

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INTRODUCED BY:

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Report Title:

Public Health; Food Establishments; Inspections; Violations; Appropriations

Description:

Requires the department of health to post monthly on its website each food establishment inspection report that includes a violation of the sanitation rules established by the department; appropriates funds for ten new sanitarian positions; appropriates funds for the enhancement of the environmental health services division information management system.

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