

1 the theory, practice, application, and ethics of colon
2 hydrotherapy and meets the requirements of this chapter.

3 § -2 **Colon hydrotherapist; licensure.** (a) No person
4 shall practice colon hydrotherapy without a colon hydrotherapist
5 license issued by the board of colon hydrotherapy examiners;
6 provided that:

7 (1) A colon hydrotherapist license shall not be required
8 of a person who has practiced colon hydrotherapy
9 continuously since May 1, 1993; and

10 (2) A colon hydrotherapy trainee license may be issued to
11 any person that is a student in a recognized school of
12 colon hydrotherapy as provided in this chapter.

13 A licensed colon hydrotherapist shall perform colon hydrotherapy
14 only in a licensed colon hydrotherapy establishment.

15 (b) A colon hydrotherapist license shall be issued to an
16 applicant who:

17 (1) Submits a certificate or diploma from a recognized
18 school of colon hydrotherapy;

19 (2) Submits a transcript from that school documenting at
20 least one hundred classroom hours and an hourly
21 curriculum breakdown; and

22 (3) Passes a written examination that:



- 1 (A) Is prepared and conducted by the board of colon
 - 2 hydrotherapy examiners;
 - 3 (B) Indicates the applicant's competency and ability
 - 4 to practice therapeutic colon hydrotherapy; and
 - 5 (C) Requires the applicant to demonstrate basic
 - 6 knowledge of the subjects and methods of colon
 - 7 hydrotherapy.
- 8 (c) In the alternative to subsection (b), the applicant
- 9 shall:
- 10 (1) Provide documentation of completion of sixty hours of
 - 11 classroom study in the subjects of anatomy and
 - 12 physiology of the alimentary tract from an established
 - 13 institution that offers a residential course of study
 - 14 or a transcript documenting no less than two semesters
 - 15 of college level anatomy and physiology courses with
 - 16 at passing grade of C or better; and
 - 17 (2) Present a certificate or diploma, and a transcript
 - 18 documenting the completion of at least one hundred
 - 19 hours of a residential course of study in colon
 - 20 hydrotherapy instruction and supervised hydrotherapy
 - 21 practice from a state-licensed institution or



- 1 established institution that is certified by the
2 International Association of Colon Hydrotherapy;
3 (3) Provide written proof of interning experience with a
4 minimum of twenty-five colon hydrotherapy clients, as
5 documented by the institution, employer, private
6 client receipts, or appointment calendar; and
7 (4) Pass a written examination that:
8 (A) Is prepared and conducted by the board of colon
9 hydrotherapy examiners;
10 (B) Indicates the applicant's competency and ability
11 to practice therapeutic colon hydrotherapy; and
12 (C) Requires the applicant to demonstrate basic
13 knowledge of the subjects and methods of colon
14 hydrotherapy.
15 (d) No license shall be issued under this section if the
16 board of colon hydrotherapy examiners determines that the
17 applicant exhibits baseness, vileness, or depravity in personal
18 conduct so as to adversely affect one's honesty, integrity, or
19 personal values.

20 § -3 **Colon hydrotherapist trainee; licensure.** (a) A
21 colon hydrotherapist trainee license may be issued to an
22 applicant who:



1 (1) Submits written proof of current enrollment in a
2 recognized school of colon hydrotherapy; and

3 (2) Has completed fifty hours or more of the required
4 course of study in a recognized school of colon
5 hydrotherapy.

6 (b) A colon hydrotherapist trainee license shall be valid
7 for so long as the applicant is enrolled in a recognized school
8 of colon hydrotherapy. Within sixty days following completion
9 of the required course of study and submission of a certificate
10 or diploma from a recognized school of colon hydrotherapy, the
11 applicant shall be eligible to be examined by the board of colon
12 hydrotherapy examiners.

13 § -4 **Colon hydrotherapy establishment; licensure.** (a)

14 No colon hydrotherapy establishment shall be operated without a
15 colon hydrotherapy establishment license issued by the board of
16 colon hydrotherapy examiners; provided that a colon hydrotherapy
17 license shall not be required of an establishment that has
18 operated continuously as a colon hydrotherapy establishment
19 since May 1, 1993.

20 (b) As a prerequisite to licensure or renewal, the colon
21 hydrotherapy establishment shall be approved by the department
22 of health for sanitation purposes. A change of location of the



1 colon hydrotherapy establishment shall require a new colon
2 hydrotherapy establishment license. A colon hydrotherapy
3 establishment license shall not be transferrable upon the sale
4 of the premises or other transfer of ownership or lease of the
5 premises to another person or entity.

6 (c) The premises of the colon hydrotherapy establishment
7 shall be inspected by the board of colon hydrotherapy examiners
8 as a prerequisite to issuance and renewal of a license, and at
9 other times in the discretion of the board, to determine whether
10 the premises are properly equipped as follows:

- 11 (1) A readable sign, made of durable material and not less
12 than three inches by five inches, shall be permanently
13 attached and posted at the main entrance identifying
14 the premises as a colon hydrotherapy establishment;
- 15 (2) At least one artificial light of not less than twenty-
16 five watts shall be located and operating in each room
17 where and when a colon hydrotherapy is performed;
- 18 (3) Minimum ventilation shall be provided in accordance
19 with the state building code;
- 20 (4) Proper equipment for disinfecting and sterilizing
21 equipment for colon hydrotherapy shall be available on
22 the premises; provided that it is preferred that all



- 1 colon hydrotherapy establishments utilize single-use,
2 disposable rectal nozzles or speculums;
- 3 (5) Hot and cold running water, tempered by means of a
4 mixing valve faucet shall be provided;
- 5 (6) Closed containers shall be provided for the storage of
6 clean linens;
- 7 (7) Adequate dressing and toilet facilities shall be
8 provided for patrons; provided that the bathroom shall
9 be within the confines of the establishment;
- 10 (8) One dressing room, which may be the same as the colon
11 hydrotherapy room, one toilet, and one wash basin
12 shall be provided in every colon hydrotherapy room;
- 13 (9) All walls, ceilings, floors, showers, bathtubs, steam
14 rooms, and all other physical facilities within the
15 colon hydrotherapy establishment shall be in good
16 repair and maintained in a clean and sanitary
17 condition;
- 18 (10) All wash basins within the colon hydrotherapy
19 establishment shall have hot and cold running water,
20 tempered by means of a mixing valve faucet;



- 1 (11) Sanitary towels shall be placed in permanently
2 installed dispensers or upon a permanently attached
3 roll dispenser;
- 4 (12) A soap dispenser shall be located on or near the wash
5 basin;
- 6 (13) If a colon hydrotherapy establishment is located in a
7 residence:
 - 8 (A) There shall be no more than one room separated
9 from the residence in which colon hydrotherapy is
10 conducted;
 - 11 (B) The colon hydrotherapy room shall be equipped
12 with a toilet and wash basin located on the same
13 floor as the room in which colon hydrotherapy is
14 conducted; provided that non-residential plumbing
15 fixtures shall not be required;
 - 16 (C) The colon hydrotherapy room shall be separated
17 from the residence by complete partitioning and
18 solid, self-closing doors, which shall not
19 include raised panel doors;
 - 20 (D) Adequate parking shall be available with space
21 for no less than two motor vehicles; and



1 (E) The colon hydrotherapy establishment shall be
2 accessible by a separate door with an outside
3 entry;

4 (14) Cabinets, toilets, and wash basins shall be thoroughly
5 cleaned each day after colon hydrotherapy procedures
6 are conducted;

7 (15) Shower compartments and bathtubs, where provided,
8 shall be thoroughly cleaned after each colon
9 hydrotherapy procedure is conducted; and

10 (16) Clean and sanitary materials, including sheets and
11 towels, shall be provided for each person undergoing a
12 colon hydrotherapy procedure.

13 § -5 **Board of colon hydrotherapy examiners.** (a) There
14 is established a board of colon hydrotherapy examiners for
15 purposes of this chapter. The board of colon hydrotherapy
16 examiners shall consist of five practicing colon hydrotherapists
17 who shall have been licensed in this State for a period of not
18 less than two years. Board members shall serve a term of four
19 years and shall be appointed by the governor in accordance with
20 section 26-34; provided that the appointment of initial members
21 shall be staggered as provided in section 26-34.



1 (b) The board of colon hydrotherapy examiners shall adopt
2 rules pursuant to chapter 91 to issue, renew, suspend, revoke,
3 discipline, and assess fees for colon hydrotherapist licenses
4 and renewals and for colon hydrotherapy establishment licenses
5 and renewals, and shall adopt other rules as may be necessary to
6 effectuate the purposes of this chapter.

7 (c) The board of colon hydrotherapy examiners may inspect
8 the premises, books, and records of a colon hydrotherapy
9 establishment to ascertain compliance with this chapter.

10 § -6 **Application for licenses.** (a) An application for
11 a colon hydrotherapist license or a colon hydrotherapy
12 establishment license shall be made to the board of colon
13 hydrotherapy examiners. The application for each license shall
14 be a separate submission. The application for either license
15 shall include the following information:

16 (1) The full legal name and current residence address of
17 the applicant;

18 (2) Any other name by which the applicant has been known
19 during the previous five years;

20 (3) The address at which the applicant desires to do
21 business;



- 1 (4) The two residence addresses immediately prior to the
2 present address of each applicant, and the dates of
3 residence at each;
- 4 (5) Personally written letters of character reference from
5 three adults who are not related to and who have known
6 the applicant for three years or more, including
7 addresses and telephone numbers of the references;
- 8 (6) Written proof that the applicant is over the age of
9 twenty-one years if applying for a colon hydrotherapy
10 establishment license, or over the age of eighteen
11 years if applying for a colon hydrotherapy license;
- 12 (7) Proof of identification of the applicant, consisting
13 of one of the following:
- 14 (A) A valid picture driver's license issued by any
15 state;
- 16 (B) A valid armed forces identification card; or
- 17 (C) A valid passport issued by a government that
18 contains a photograph of the applicant and the
19 date of birth of the applicant;
- 20 (8) The applicant's height, weight, and hair and eye
21 color;



- 1 (9) Two passport-size portrait photographs, approximately
2 two inches by two inches in size, taken within the
3 previous six months;
- 4 (9) The business, occupation, or employment history of the
5 applicant during the previous five years;
- 6 (10) The business license history of the applicant,
7 including whether the applicant, while previously
8 operating in this State under license, has had that
9 license revoked or suspended and the reason for the
10 revocation or suspension, and the business activity or
11 occupation subsequent to each suspension or
12 revocation;
- 13 (11) All felony and misdemeanor convictions, excluding
14 those for civil traffic offenses, and the grounds for
15 each conviction;
- 16 (12) A certificate from a health care provider stating that
17 the applicant has been examined and found to be free
18 of any contagious or communicable disease within
19 thirty days immediately prior to the date of the
20 certificate;



1 (13) The applicant's education, training, and experience in
2 the administration and practice of colon hydrotherapy;
3 and

4 (14) A diploma or certificate and an official transcript
5 from a recognized school of colon hydrotherapy or the
6 International Association for Colon Hydrotherapy.

7 (b) The board of colon hydrotherapy examiners may require
8 additional information from the applicant and may conduct its
9 own investigation of the applicant to verify the information
10 under subsection (a).

11 § -7 **Examination of applicant for a colon hydrotherapist**
12 **license.** Upon passage of a written examination, as determined
13 by the board of colon hydrotherapy examiners, the board of colon
14 hydrotherapy examiners shall issue a colon hydrotherapist
15 license to the applicant.

16 § -8 **Recognized school of colon hydrotherapy.** A
17 recognized school of colon hydrotherapy shall:

18 (1) Be approved by the International Association of Colon
19 Hydrotherapy, if the school is located outside of this
20 State, or by the department of education as trade or
21 vocational education, if the school is located in this
22 State;



1 (2) Offer a residential course of study of not less than
2 one hundred and twenty-five hours of instruction
3 comprised of not less than one hundred hours of
4 classroom instruction and twenty-five hours of
5 internship; and

6 (3) Issue a diploma or certificate and an official
7 transcript to each participant who successfully
8 completes a course of study in colon hydrotherapy.

9 § -9 **Reporting requirements of a recognized school of**
10 **colon hydrotherapy.** A recognized school of colon hydrotherapy
11 shall report to the board of colon hydrotherapy examiners a list
12 of students:

13 (1) Receiving a certificate or diploma from the school
14 within ten days of granting a certificate or diploma;
15 and

16 (2) Terminated from the school within ten days of the
17 termination.

18 § -10 **Criminal record as grounds for denial of license.**

19 (a) No colon hydrotherapy license shall be issued or renewed to
20 any person who has been convicted within the immediately
21 preceding five years of a criminal offense:



- 1 (1) Involving moral turpitude under the laws of this
- 2 State;
- 3 (2) Under part IV of chapter 712; or
- 4 (3) Under the laws of another jurisdiction that would be
- 5 the substantial equivalent of paragraphs (1) or (2).
- 6 (b) For purposes of this section, the department of
- 7 commerce and consumer affairs may obtain criminal history record
- 8 information through the Hawaii criminal justice data center in
- 9 accordance with section 846-2.7.

10 § -11 **Display of licenses.** The license of a licensed

11 colon hydrotherapist shall be displayed conspicuously on the

12 premises of a licensed colon hydrotherapy establishment. A

13 recent photograph of the licensed colon hydrotherapist shall be

14 attached to the license.

15 § -12 **Prohibited conduct; penalty.** (a) It shall be

16 unlawful for any person or entity to conduct colon hydrotherapy

17 on any premises in which:

- 18 (1) Alcohol is served; provided that this paragraph shall
- 19 not apply to colon hydrotherapy conducted by a
- 20 nonprofit entity, health spa, or resort; or
- 21 (2) An adult book store, a motion picture theater, or an
- 22 adult entertainment enterprise is operated.



1 (b) No person shall perform colon hydrotherapy, whether
2 for a fee or gratuitously:

3 (1) In any manner or under any circumstance that is
4 intended to arouse, appeal to, or gratify sexual
5 desires;

6 (2) Upon a person who is not draped with a sheet or towel
7 to cover the genital area; or

8 (3) While attired in clothing that does not reflect the
9 generally prevailing standard of the colon
10 hydrotherapy profession in this State.

11 (c) No licensed colon hydrotherapist shall prescribe any
12 medicines or controlled substances, unless the colon
13 hydrotherapist is duly licensed in this State to prescribe
14 medicines or controlled substances.

15 (d) A licensed colon hydrotherapist shall not conduct
16 procedures outside the scope of colon hydrotherapy.

17 (e) A violation of this section shall constitute a
18 misdemeanor.

19 § -13 License sanctions; disciplinary action;
20 proceedings. Licensing sanctions for violation of this chapter
21 shall be in accordance with chapter 436B.



1 Proceedings to revoke or suspend a license shall be in
2 accordance with contested case hearings under chapter 91.

3 § -14 Exemptions. (a) This chapter shall not apply to:

4 (1) Persons authorized by the laws of this State to
5 practice medicine, osteopathy, chiropractic,
6 naturopathy, or podiatry; or

7 (2) Registered nurses or licensed practical nurses when
8 acting under the supervision of a licensed physician,
9 naturopath, osteopath, chiropractor, or podiatrist;

10 (b) The exemptions under subsection (a) shall apply only
11 to the extent that colon hydrotherapy is a legitimate adjunct in
12 any particular case to the practice of medicine, osteopathy,
13 chiropractic, naturopathy, or podiatry.

14 § -15 Advertising restrictions. (a) No person shall
15 advertise or otherwise represent themselves to the public to be
16 a colon hydrotherapist or to practice colon hydrotherapy unless
17 that person is licensed under this chapter.

18 (b) Violation of this section shall constitute a
19 misdemeanor."

20



1 SECTION 2. This Act shall take effect on July 1, 2013.

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Report Title:

Colon Hydrotherapy; Licensure

Description:

Establishes licensure for colon hydrotherapists and colon hydrotherapy establishments.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

