
HOUSE CONCURRENT RESOLUTION

REQUESTING THE DIRECTOR OF HEALTH TO ADOPT RULES TO AUTHORIZE
ADMINISTRATIVE REVIEWS OF CERTAIN ACTIONS COMMITTED BY
AGENTS OR INSPECTORS OF THE DEPARTMENT OF HEALTH.

1 WHEREAS, the Department of Health regulates, through
2 licensure and certification, several professions and occupations
3 related to the public health; and
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5 WHEREAS, statutes relating to the Department of Health
6 presently contain no express provisions that authorize aggrieved
7 persons to challenge departmental decisions that adversely
8 affect licenses or certifications held or applied for by
9 aggrieved persons; and
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11 WHEREAS, adverse decisions by the Department unfairly
12 impact applicants for licensure or certification when made upon
13 improper grounds, such as those recognized under section 96-8,
14 Hawaii Revised Statutes; and
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16 WHEREAS, the Director of Health has the statutory authority
17 under section 321-9, Hawaii Revised Statutes, to adopt rules "as
18 it may consider expedient for the conduct of its business;" now,
19 therefore,
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21 BE IT RESOLVED by the House of Representatives of the
22 Twenty-seventh Legislature of the State of Hawaii, Regular
23 Session of 2013, the Senate concurring, that the Director of
24 Health is requested to adopt rules to authorize administrative
25 reviews of actions committed by agents or inspectors of the
26 Department of Health that:
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28 (1) Adversely affect a license or certification held or
29 applied for by an aggrieved person; and
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1 (2) Are based upon grounds that are otherwise appropriate
2 subjects for investigation under section 96-8, Hawaii
3 Revised Statutes; and
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5 BE IT FURTHER RESOLVED that the Director of Health is
6 requested to impose appropriate sanctions as may otherwise be
7 permitted by law for inappropriate actions of agents or
8 inspectors of the Department of Health; and
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10 BE IT FURTHER RESOLVED that a certified copy of this
11 Concurrent Resolution be transmitted to the Director of Health.
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OFFERED BY:

Mel Carnice
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