



STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

House Committee on Health

HB 897, RELATING TO FOOD ESTABLISHMENTS

**Testimony of Loretta J. Fuddy, A.C.S.W., M.P.H.
Director of Health**

**February 8, 2013
8:30 a.m.**

1 **Department's Position:** The department strongly supports this bill.

2 **Fiscal Implications:** None

3 **Purpose and Justification:** This bill removes and replaces the title of "registered sanitarian" and "food
4 and drug inspector" as specific occupations allowed to inspect food establishments to "duly authorized
5 agents of the department of health." This bill also abolishes the "Advisory Council on Food Protection
6 Practices."

7 In 1999 the Legislature amended section 322-13, HRS, by removing "sanitarians" from the list of
8 occupations that the Department of Health (DOH) may regulate. Further, since both section 321-14
9 (License to practice certain occupations) and section 321-15 (Annual registration, fees, failure to
10 register) refer back to the list of occupations in section 321-13 (a) (1), the Department has no authority
11 to license or register sanitarians. Thus the term "registered sanitarian" no longer has any legal or
12 practical significance and the reference to that term in section 321-4.5 should be removed in the interest
13 of consistency. The reference to "food and drug inspector" is simply unnecessary and overly specific
14 and the purpose is better served by reference to a "duly authorized agent of the department of health."

Promoting Lifelong Health & Wellness

1 The Advisory Council on Food Protection Practices is a redundant and unnecessary
2 administrative burden on the DOH. DOH personnel carry a significant amount of responsibility for and
3 devote a disproportionate amount of time and resources to its organization and oversight, but the
4 Council's sole purpose of advising the DOH in the formation of rules governing the sanitation practices
5 of food establishments, is already better served by chapter 91, HRS, rule-making procedures and
6 administrative directives mandating review by the Small Business Regulatory Review Board. The DOH
7 will continue to work with and make themselves available to the regulated community regarding food
8 safety in the same spirit of cooperation that chapter 91, HRS, already requires.

9 **Relation to the New Day Plan:** Health

10 **Relation to the Department of Health Strategic Plan:** Foundation 2: Health Promotion &
11 Disease Prevention. Goal: Attain lifelong quality health free from preventable disease, avoidable
12 disability, and premature death.

13 Thank you for the opportunity to testify.