



EXECUTIVE CHAMBERS
HONOLULU

NEIL ABERCROMBIE
GOVERNOR

July 2, 2014

GOV. MSG. NO. 1319

The Honorable Donna Mercado Kim,
President
and Members of the Senate
Twenty-Seventh State Legislature
State Capitol, Room 409
Honolulu, Hawaii 96813

The Honorable Joseph M. Souki,
Speaker and Members of the
House of Representatives
Twenty-Seventh State Legislature
State Capitol, Room 431
Honolulu, Hawaii 96813

Dear President Kim, Speaker Souki, and Members of the Legislature:

This is to inform you that on July 2, 2014, the following bill was signed into law:

SB2472 SD2 HD3 CD1

RELATING TO OCCUPATIONAL THERAPY
PRACTICE
ACT 209 (14)

Sincerely,
A handwritten signature in black ink that reads "Neil Abercrombie".

NEIL ABERCROMBIE
Governor, State of Hawaii

A BILL FOR AN ACT

RELATING TO OCCUPATIONAL THERAPY PRACTICE.

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

1 SECTION 1. The legislature finds that occupational
2 therapists treat patients with injuries, illnesses, or
3 disabilities through the therapeutic use of everyday life
4 activities. Occupational therapy assistants assist occupational
5 therapists in providing occupational therapy.

6 Although the regulation of occupational therapy practice is
7 codified in chapter 457G, Hawaii Revised Statutes, the law is
8 incomplete in relation to certain aspects of the profession, and
9 does not require the licensure of occupational therapists or
10 occupational therapy assistants. The legislature notes that
11 Hawaii is the last state in the country to license occupational
12 therapists and one of the last three states to license
13 occupational therapy assistants.

14 The legislature further finds that occupational therapists,
15 and occupational therapy assistants should be licensed in Hawaii
16 to protect public health, safety, and the welfare of the
17 patients served by occupational therapists and occupational
18 therapy assistants. Requiring the licensure of occupational



1 therapists and occupational therapy assistants will ensure that
2 qualified occupational therapists and occupational therapy
3 assistants provide occupational therapy services in Hawaii and
4 will enable insurers to meet payer requirements, as some
5 insurers require occupational therapy to be provided by licensed
6 individuals.

7 The purpose of this Act is to improve the regulation of
8 occupational therapists and occupational therapy assistants by
9 establishing an occupational therapy program and licensing
10 requirements for occupational therapists and occupational
11 therapy assistants, including provisions relating to the
12 qualifications, licensure practice of occupational therapy,
13 supervision of occupational therapy assistants, exemptions,
14 powers and duties of the director of commerce and consumer
15 affairs, licensure renewal, restoration, penalty, and revocation
16 or suspension of licenses.

17 Accordingly, this Act provides that, effective with the
18 renewal period beginning December 31, 2014, each occupational
19 therapist registration shall be converted to an occupational
20 therapist license. To effectuate a seamless conversion, current
21 occupational therapist registrants will be grandfathered and
22 issued an occupational therapist license upon renewal.



1 In addition, the Act provides that, effective January 1,
2 2017, except as otherwise provided, no person shall practice as
3 an occupational therapy assistant or represent the person's self
4 as being able to practice as an occupational therapy assistant
5 in the State without possessing a valid license issued by the
6 director of commerce and consumer affairs in accordance with
7 this Act.

8 SECTION 2. Chapter 457G, Hawaii Revised Statutes, is
9 amended by adding eight new sections to be appropriately
10 designated and to read as follows:

11 "§457G-A Occupational therapy program. There is
12 established an occupational therapy program within the
13 department to be administered by the director.

14 §457G-B Powers and duties of the director. In addition to
15 any other powers and duties authorized by law, the director
16 shall have the powers and duties to:

- 17 (1) Grant, deny, renew, refuse to renew, restore,
18 terminate, reinstate, condition, restrict, suspend, or
19 revoke a license issued pursuant to this chapter;
20 (2) Grant permission to a person to practice occupational
21 therapy and to use the title of "licensed occupational



- 1 therapist" or a description indicating that the person
2 is a licensed occupational therapist in this State;
- 3 (3) Grant permission to a person to practice as an
4 occupational therapy assistant and to use the title
5 "licensed occupational therapy assistant" or a
6 description indicating that the person is a licensed
7 occupational therapy assistant in this State;
- 8 (4) Adopt, amend, or repeal rules pursuant to chapter 91
9 as the director finds necessary to carry out the
10 purposes of this chapter;
- 11 (5) Administer, coordinate, and enforce this chapter;
- 12 (6) Discipline a licensed occupational therapist or
13 licensed occupational therapy assistant on grounds
14 specified by this chapter or chapter 436B or for any
15 violation of rules adopted by the director pursuant to
16 this chapter;
- 17 (7) Refuse to license a person for failure to meet the
18 licensing requirements in this chapter or for any
19 reason specified by this chapter as grounds to
20 discipline an occupational therapist or occupational
21 therapy assistant; and



1 (8) Appoint an advisory committee composed of practicing
2 occupational therapists and occupational therapy
3 assistants to assist with the implementation of this
4 chapter.

5 §457G-C Qualifications of occupational therapy assistants.

6 (a) Effective January 1, 2017, occupational therapy assistants
7 shall be licensed pursuant to this chapter.

8 (b) To qualify for licensure in this state, occupational
9 therapy assistants shall have completed the educational
10 requirements and supervised field work required for
11 certification by the National Board for Certification in
12 Occupational Therapy and shall have passed a national
13 certification examination administered by the National Board for
14 Certification in Occupational Therapy.

15 (c) In the case of foreign-trained persons, the applicant
16 for an occupational therapy assistant license shall have
17 completed the National Board for Certification in Occupational
18 Therapy eligibility determination process for occupational
19 therapy assistants and shall have passed a national
20 certification examination administered by the National Board for
21 Certification in Occupational Therapy.



- 1 §457G-D Supervision of occupational therapy assistants;
2 partnership with occupational therapists. (a) An occupational
3 therapy assistant may practice occupational therapy only under
4 the supervision of, and in partnership with, an occupational
5 therapist who is licensed to practice occupational therapy in
6 the State. The occupational therapist shall be responsible for
7 occupational therapy evaluation, appropriate reassessment,
8 treatment planning, interventions, and discharge from
9 occupational therapy based on standard professional guidelines.
10 The supervising occupational therapist and the supervised
11 occupational therapy assistant shall have legal and ethical
12 responsibility for ongoing management of supervision, including
13 providing, requesting, giving, or obtaining supervision.
- 14 (b) The supervising occupational therapist shall:
- 15 (1) Determine the frequency, level, and nature of
16 supervision with input from the occupational therapy
17 assistant; and
- 18 (2) Base the supervision determination on a variety of
19 factors, including the clients' required level of
20 care, treatment plan, and experience and pertinent
21 skills of the occupational therapy assistant.



1 (c) The supervising occupational therapist shall supervise
2 the occupational therapy assistant to ensure that the
3 occupational therapy assistant:

4 (1) Does not initiate or alter a treatment program without
5 prior evaluation by and approval of the supervising
6 occupational therapist;

7 (2) Obtains prior approval of the supervising occupational
8 therapist before making adjustments to a specific
9 treatment procedure; and

10 (3) Does not interpret data beyond the scope of the
11 occupational therapy assistant's education and
12 training.

13 **§457G-E Exemptions.** (a) Nothing in this chapter shall be
14 construed to prohibit any person from acting within the scope of
15 a license issued to that person under any other law; provided
16 that the person shall not claim to be an occupational therapist
17 or occupational therapy assistant, or claim to be performing
18 occupational therapy, unless the person is also licensed under
19 this chapter.

20 (b) Nothing in this chapter shall be construed to prohibit
21 students in an educational program for occupational therapists
22 or occupational therapy assistants from participating in



1 activities that are conducted as part of the educational program
2 and are under the guidance and supervision of a licensed
3 occupational therapist.

4 (c) Nothing in this chapter shall be construed to prohibit
5 a person licensed as an occupational therapist in another state
6 or foreign country from practicing occupational therapy in this
7 State if the person is part of an educational demonstration or
8 instructional program or seminar sponsored by an educational
9 institution, hospital, medical care program, the Occupational
10 Therapy Association of Hawaii, or any other similar person or
11 group, for the duration of the program or seminar and confined
12 to the purpose of the program or seminar.

13 (d) Nothing in this chapter shall be construed to prohibit
14 an occupational therapist who is practicing in the United States
15 armed services, United States Public Health Service, or
16 Department of Veterans Affairs pursuant to federal regulations
17 for state licensure of health care providers from practicing as
18 an occupational therapist; provided that if the person, while
19 federally employed as an occupational therapist, engages in the
20 practice of occupational therapy outside the course and scope of
21 the person's federal employment, the person shall be required to
22 obtain a license in accordance with this chapter.



1 §457G-F Biennial renewal; failure to renew; restoration,
2 inactive license; conversion from registration. (a) The
3 biennial renewal fee shall be paid to the department on or
4 before December 31 of each even-numbered year. Failure,
5 neglect, or refusal of any licensee to pay the biennial renewal
6 fee on or before this date shall constitute a forfeiture of the
7 license. A forfeited license may be restored upon written
8 application within one year from the date of forfeiture and the
9 payment of the delinquent fee plus an amount equal to fifty per
10 cent of the delinquent fee.

11 (b) Upon written application by the licensee, the director
12 may place the licensee's active license on inactive status.
13 During the inactive period, a licensee shall not engage in the
14 practice of occupational therapy. The license may be
15 reactivated at any time by the licensee by submitting a written
16 application to the director and payment of the renewal and any
17 other applicable fees. A licensee's inactive status shall not
18 deprive the director of the director's authority to institute or
19 continue any disciplinary or enforcement action against the
20 licensee.

21 (c) Effective with the December 31, 2014, renewal period,
22 each active occupational therapist registration shall be



1 converted to an active occupational therapist license by
2 operation of law. The conversion from registration to licensure
3 shall not:

4 (1) Affect any prior discipline, limitation, or condition
5 imposed by the director on an occupational therapist's
6 registration;

7 (2) Limit the director's authority over any registrant; or

8 (3) Affect any pending investigation or administrative
9 proceeding.

10 (d) Effective January 1, 2015, the director shall treat
11 any application pending for an occupational therapist
12 registration as an application for licensure, and the
13 application shall be subject to the requirements established by
14 the director in accordance with this chapter.

15 §457G-G License revocation or suspension; reinstatement;
16 probation. (a) In addition to any other actions authorized by
17 law, any license issued under this chapter may be revoked or
18 suspended by the director at any time for any cause authorized
19 by law, including but not limited to the following:

20 (1) Obtaining a fee on the assurance that a manifestly
21 incurable disease can be permanently cured;

22 (2) Wilfully betraying patient confidentiality;



- 1 (3) Making an untruthful and improbable statement in
2 advertising one's practice or business;
- 3 (4) False, fraudulent, or deceptive advertising;
- 4 (5) Being habituated to the excessive use of drugs or
5 alcohol or being or having been addicted to, dependent
6 on, or a habitual user of a narcotic, barbiturate,
7 amphetamine, hallucinogen, or other drug having
8 similar effects;
- 9 (6) Practicing occupational therapy while the ability to
10 practice is impaired by alcohol, drugs, or mental
11 instability;
- 12 (7) Procuring a license through fraud, misrepresentation,
13 or deceit, or knowingly permitting an unlicensed
14 person to practice occupational therapy;
- 15 (8) Professional misconduct, gross negligence, or manifest
16 incapacity in the practice of occupational therapy;
- 17 (9) Conduct or practice contrary to recognized standards
18 of ethics for the practice of occupational therapy in
19 the United States; or
- 20 (10) Violation of this chapter, chapter 436B, or any rule
21 or order of the director.



1 (b) To reinstate a suspended license, or to grant
2 licensure to an applicant whose license was previously revoked,
3 the director may require further education or training or
4 require proof of competence in performance.

5 (c) In lieu of revoking or suspending a license, the
6 director may place the licensee on probation, the terms of which
7 may require observation of the licensee by a licensed
8 occupational therapist.

9 (d) Any licensee or applicant who violates this section
10 may be fined not more than \$1,000 per violation in addition to
11 any other fine or fee imposed.

12 **§457G-H License required.** (a) Except as specifically
13 provided in this chapter, no person shall engage in the practice
14 of occupational therapy or use the title "licensed occupational
15 therapist" or "occupational therapist" without a valid license
16 to practice occupational therapy issued pursuant to this
17 chapter.

18 (b) Except as specifically provided in this chapter, no
19 person shall engage in the practice of occupational therapy as
20 an occupational therapist assistant or use the title "licensed
21 occupational therapist assistant" or "occupational therapist
22 assistant" unless:



1 (1) The practice is performed under the supervision of and
2 in partnership with a person who is an occupational
3 therapist licensed to practice occupational therapy in
4 the State; and

5 (2) The person possesses a valid license issued pursuant
6 to this chapter to practice occupational therapy as an
7 occupational therapy assistant.

8 (c) Any person who violates this section shall be subject
9 to a fine of not more than \$1,000 per violation."

10 SECTION 3. Section 457G-1, Hawaii Revised Statutes, is
11 amended as follows:

12 1. By adding three new definitions to be appropriately
13 inserted and to read:

14 "Foreign-trained person" means a person who has completed
15 an educational program or course of study in occupational
16 therapy in an institution located outside the United States.

17 "Occupational therapist" means a person who engages in the
18 practice of occupational therapy in this State.

19 "Occupational therapy assistant" means a person who engages
20 in the practice of occupational therapy under the supervision of
21 and in partnership with an occupational therapist."



1 2. By repealing the definition of "occupational therapy
2 services".

3 ~~["Occupational therapy services" include:~~

4 ~~(1) The assessment of needs and provision of treatment in
5 consultation with the individual, family, or other
6 appropriate persons;~~

7 ~~(2) Interventions directed toward developing, improving,
8 ascertaining, enhancing, or restoring:~~

9 ~~(A) Daily living skills, including self care skills
10 and activities that involve interactions with
11 others and the environment, work readiness or
12 work performance, play skills or leisure
13 capacities, or educational performance skills; or~~

14 ~~(B) Sensorimotor, oral motor, perceptual, or
15 neuromuscular functioning; or emotional,
16 motivational, cognitive, or psychosocial
17 components of performance;~~

18 ~~(3) The education of the individual, family, or other
19 appropriate persons in carrying out appropriate
20 interventions;~~

21 ~~(4) Design, development, adaptation, application, or
22 training in the use of:~~



- 1 ~~(A) Assistive technology devices; and~~
- 2 ~~(B) Rehabilitative technology such as orthotic or~~
- 3 ~~prosthetic devices;~~
- 4 ~~(5) The application of physical agent modalities as an~~
- 5 ~~adjunct to, or in preparation for, purposeful~~
- 6 ~~activity;~~
- 7 ~~(6) The application of ergonomic principles, and the~~
- 8 ~~adaptation of environments and processes to enhance~~
- 9 ~~functional performance; and~~
- 10 ~~(7) The promotion of health and wellness."~~

11 SECTION 4. Section 457G-1.5, Hawaii Revised Statutes, is
 12 amended to read as follows:

13 "**§457G-1.5 Practice of occupational therapy**~~[~~
 14 **qualifications; registration]**. (a) ~~[No person shall represent,~~
 15 ~~advertise, or announce oneself, either publicly or privately, as~~
 16 ~~an occupational therapist, nor use, in connection with the~~
 17 ~~person's name or place of business, the words "occupational~~
 18 ~~therapist", "certified occupational therapist", "occupational~~
 19 ~~therapist registered", or the letters "OT", "COT", or "OTR", or~~
 20 ~~any other words, letters, abbreviations, or insignia indicating~~
 21 ~~or implying that such person is an occupational therapist unless~~
 22 ~~such person registers the person's name and business address~~



1 ~~biennially with the department of commerce and consumer affairs~~
2 ~~in a manner established by rules adopted pursuant to chapter 91,~~
3 ~~and meets the qualifications of section 457C-2.~~

4 ~~(b) The department shall maintain and biennially update a~~
5 ~~list of the names and business addresses of the occupational~~
6 ~~therapists who are registered under subsection (a).~~

7 ~~(c) Nothing in this chapter shall be construed to prohibit~~
8 ~~a registered occupational therapist from utilizing occupational~~
9 ~~therapy support personnel to assist in the practice of~~
10 ~~occupational therapy; provided that the occupational therapy~~
11 ~~support personnel shall work under the supervision of or in~~
12 ~~consultation with the registered occupational therapist.~~

13 ~~"Occupational therapy support personnel" includes a person~~
14 ~~certified by the National Board for Certification in~~
15 ~~Occupational Therapy, and who uses the title "occupational~~
16 ~~therapy assistant" or "certified occupational therapy~~
17 ~~assistant", the letters "COTA" or "OTA", or any other titles,~~
18 ~~letters, abbreviations, or insignia indicating or implying that~~
19 ~~the person is an occupational therapy assistant.~~

20 ~~(d) A registration granted under this chapter shall mean~~
21 ~~that the person has met requirements that include minimum~~
22 ~~practice standards to provide protection to the public and is~~



1 ~~permitted to use the title and engage in the practice as an~~
2 ~~occupational therapist. In the granting of permission to engage~~
3 ~~in this profession, and consistent with section 436B-2, the~~
4 ~~definition for "license" is inclusive of a registration issued~~
5 ~~under this chapter and, as such, an occupational therapist that~~
6 ~~holds a registration shall be similarly regarded as an~~
7 ~~occupational therapist that holds a license.] The practice of~~
8 occupational therapy is the therapeutic use of everyday life
9 activities with individuals or groups for the purpose of
10 participation in roles and situations in home, school,
11 workplace, community, and other settings. It includes:

12 (1) Evaluation of factors affecting activities of daily
13 living, instrumental activities of daily living, rest
14 and sleep, education, work, play, leisure, and social
15 participation, including:

16 (A) Client factors, including body functions, such as
17 neuromusculoskeletal, sensory-perceptual, visual,
18 mental, cognitive, and pain factors; body
19 structures, such as cardiovascular, digestive,
20 nervous, integumentary, genitourinary systems,
21 and structures related to movement, values,
22 beliefs, and spirituality;



- 1 (B) Habits, routines, roles, rituals, and behavior
- 2 patterns;
- 3 (C) Occupational and social environments, cultural,
- 4 personal, temporal, and virtual contexts and
- 5 activity demands that affect performance; and
- 6 (D) Performance skills, including motor and praxis,
- 7 sensory-perceptual, emotional regulation,
- 8 cognitive, communication, and social skills;
- 9 (2) Methods or approaches selected to direct the process
- 10 of interventions, including:
- 11 (A) Establishment, remediation, or restoration of a
- 12 skill or ability that has not yet developed, is
- 13 impaired, or is in decline;
- 14 (B) Compensation, modification, or adaptation of
- 15 activity or environment to enhance performance or
- 16 prevent injuries, disorders, or other conditions;
- 17 (C) Retention and enhancement of skills or abilities
- 18 without which performance in everyday life
- 19 activities would decline;
- 20 (D) Promotion of health and wellness, including the
- 21 use of self-management strategies, to enable or



1 enhance performance in everyday life activities;

2 and

3 (E) Prevention of barriers to performance and
4 participation, including injury and disability
5 prevention; and

6 (3) Interventions and procedures to promote or enhance
7 safety and performance in activities of daily living,
8 instrumental activities of daily living, rest and
9 sleep, education, work, play, leisure, and social
10 participation, including:

11 (A) Therapeutic use of occupations, exercises, and
12 activities;

13 (B) Training in self-care, self-management, health
14 management and maintenance, home management,
15 community reintegration, work reintegration,
16 school activities, and work performance;

17 (C) Development, remediation, or compensation of
18 neuromusculoskeletal, sensory-perceptual, visual,
19 mental, and cognitive functions; pain tolerance
20 and management; and behavioral skills;

- 1 (D) Therapeutic use of self, including one's
2 personality, insights, perceptions, and
3 judgments, as part of the therapeutic process;
- 4 (E) Education and training of individuals, including
5 family members, caregivers, groups, populations,
6 and others;
- 7 (F) Care coordination, case management, and
8 transition services;
- 9 (G) Consultative services to groups, programs,
10 organizations, or communities;
- 11 (H) Modification of environments, such as home, work,
12 school, or community, and adaptation of
13 processes, including the application of ergonomic
14 principles;
- 15 (I) Assessment, design, fabrication, application,
16 fitting, and training in seating and positioning;
17 assistive technology; adaptive devices; orthotic
18 devices; and training in the use of prosthetic
19 devices;
- 20 (J) Assessment, recommendation, and training in
21 techniques to enhance functional mobility,



- 1 including management of wheelchairs and other
- 2 mobility devices;
- 3 (K) Low vision rehabilitation;
- 4 (L) Driver rehabilitation and community mobility;
- 5 (M) Management of feeding, eating, and swallowing to
- 6 enable eating and feeding performance;
- 7 (N) Application of physical agent modalities and use
- 8 of a range of specific therapeutic procedures,
- 9 such as wound care management, interventions to
- 10 enhance sensory-perceptual and cognitive
- 11 processing, and manual therapy, to enhance
- 12 performance skills; and
- 13 (O) Facilitating the occupational performance of
- 14 groups, populations, or organizations through the
- 15 modification of environments and the adaptation
- 16 of processes.

- 17 (b) No person shall engage in the practice of occupational
- 18 therapy gratuitously or for pay, offer to practice occupational
- 19 therapy, offer occupational therapy, or represent, advertise, or
- 20 announce, either publicly or privately, that the person is an
- 21 occupational therapist, unless the person is appropriately
- 22 licensed under this chapter.

1 (c) No person shall use, in connection with the person's
2 name or business, the words "occupational therapist licensed",
3 "registered occupational therapist", "licensed occupational
4 therapist", "occupational therapist", or "doctor of occupational
5 therapy", or the letters "OT", "OTR", "OTD", "OT/L", "OTR/L", or
6 "OTD/L", or any other words, letters, abbreviations, or insignia
7 indicating or implying that the person is an occupational
8 therapist unless the person is appropriately licensed as an
9 occupational therapist under this chapter.

10 (d) Effective January 1, 2017, except as otherwise
11 provided in this chapter, no person shall engage in the practice
12 of occupational therapy or represent the person's self as able
13 to practice as an occupational therapy assistant in the State
14 unless:

15 (1) The practice is done under the supervision of and in
16 partnership with an occupational therapist who is
17 licensed to practice occupational therapy in the
18 State; and

19 (2) The person possesses a valid license issued pursuant
20 to this chapter to practice occupational therapy as an
21 occupational therapy assistant.



1 (e) No person shall use the title "occupational therapy
2 assistant licensed", "licensed occupational therapy assistant",
3 the letters "OTA/L" or "COTA/L", or any other words, letters,
4 abbreviations, or insignia indicating or implying that the
5 person is an occupational therapy assistant unless that person
6 is appropriately licensed as an occupational therapy assistant
7 under this chapter."

8 SECTION 5. Section 457G-2, Hawaii Revised Statutes, is
9 amended to read as follows:

10 "**§457G-2 Qualifications of occupational therapists.** (a)
11 [~~Occupational~~] To qualify for licensure in this state,
12 occupational therapists shall have completed the educational
13 requirements and supervised field work experience required for
14 certification by the National Board for Certification in
15 Occupational Therapy[~~7~~] and shall have passed a national
16 certification examination administered by that association.

17 (b) In the case of foreign-trained persons, the applicant
18 for an occupational therapy license shall have completed the
19 National Board for Certification in Occupational Therapy
20 eligibility determination process for occupational therapists
21 and shall have passed a national certification examination



1 administered by the National Board for Certification in
2 Occupational Therapy."

3 SECTION 6. Section 457G-3, Hawaii Revised Statutes, is
4 repealed.

5 [~~"{S457G-3} Injunction. The attorney general or the~~
6 ~~director of the office of consumer protection may bring~~
7 ~~proceedings to enjoin any violation of this chapter."~~]

8 SECTION 7. Section 457G-4, Hawaii Revised Statutes, is
9 repealed.

10 [~~"{S457G-4} Civil penalty. Any person violating any~~
11 ~~provisions of this chapter shall be fined a sum of not less than~~
12 ~~\$500 nor more than \$10,000 for each violation, which sum shall~~
13 ~~be collected in a civil action brought by the attorney general~~
14 ~~or the director of the office of consumer protection on behalf~~
15 ~~of the State."~~]

16 SECTION 8. There is appropriated out of the compliance
17 resolution fund established pursuant to section 26-9(o), Hawaii
18 Revised Statutes, the sum of \$70,000 or so much thereof as may
19 be necessary for fiscal year 2014-2015 to implement an
20 occupational therapy licensure program, including hiring of
21 necessary personnel to assist with the implementation and
22 continuing functions of chapter 457G, Hawaii Revised Statutes,



1 as well as covering operating expenditures such as office
2 supplies, postage, and other current expenses to carry out and
3 maintain the new regulatory area within the purview of the
4 director of commerce and consumer affairs; provided that the
5 department of commerce and consumer affairs may employ necessary
6 personnel without regard to chapter 76, Hawaii Revised Statutes.

7 The sum appropriated shall be expended by the department of
8 commerce and consumer affairs for the purposes of this Act.

9 SECTION 9. Upon issuance of a new license and at each
10 license renewal period, each licensee shall be assessed a
11 surcharge of \$100 in addition to the other licensing fees. This
12 surcharge shall cease once the amount collected from the
13 surcharge imposed pursuant to this section is equal to the
14 amount of the appropriation in section 8 of this Act.

15 SECTION 10. In codifying the new sections added by section
16 2 of this Act, the revisor of statutes shall substitute
17 appropriate section numbers for the letters used in designating
18 the new sections in this Act.

19 SECTION 11. Statutory material to be repealed is bracketed
20 and stricken. New statutory material is underscored.

21 SECTION 12. This Act shall take effect upon its approval;
22 provided that section 8 shall take effect on July 1, 2014.

S.B. NO.

2472
S.D. 2
H.D. 3
C.D. 1

APPROVED this 2 day of JUL, 2014

Handwritten signature of Neil Abercrombie in black ink. The signature is written in a cursive style with a horizontal line under the name.

GOVERNOR OF THE STATE OF HAWAII