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# A BILL FOR AN ACT

RELATING TO THE DEPARTMENT OF HEALTH.

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

1           SECTION 1. Chapter 321, Hawaii Revised Statutes, is  
2 amended by adding a new section to part I be appropriately  
3 designated and to read as follows:

4           "§321- Administrative review of action by an agent or  
5 inspector. (a) Any person who is aggrieved by an  
6 administrative act of an agent or inspector of the department of  
7 health that:

8           (1) Adversely affects a license or certification held or  
9 applied for by the person; and

10          (2) Is based on grounds that are otherwise appropriate  
11 subjects for investigation under section 96-8,  
12 may submit a request for a contested case hearing to the  
13 director of health within sixty days of the date of the action  
14 of the agent or inspector.

15          (b) In addition to any other remedy provided by law, the  
16 director may award attorney's fees and costs to the person who  
17 is aggrieved by an administrative act of the agent or inspector  
18 and may fine the agent or inspector not more than \$10,000."



1 SECTION 2. This Act does not affect rights and duties that  
2 matured, penalties that were incurred, and proceedings that were  
3 begun before its effective date.

4 SECTION 3. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY: Mel Carnes

JAN 18 2013



# H.B. NO. 342

**Report Title:**

DOH; Agents and Inspectors; Hearings

**Description:**

Authorizes administrative review of certain actions by DOH agents and inspectors that adversely affect licenses and certifications issued by DOH.

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

