

# SB2863

Measure Title: RELATING TO CITATIONS FOR MASSAGE THERAPY VIOLATIONS.

Report Title: Citations; Massage Therapy Violations; Fines

Description: Authorizes the issuance of a citation for specific violations of massage therapy laws by licensees. Sets forth a process for licensees to contest the citation and provides for the assessment of fines for each violation.

Companion: [HB2334](#)

Package: Governor

Current Referral: CPH, WAM

Introducer(s): KOUCHI (Introduced by request of another party)



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PRESENTATION OF  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
REGULATED INDUSTRIES COMPLAINTS OFFICE

TO THE SENATE COMMITTEE  
ON  
COMMERCE, CONSUMER PROTECTION, AND HEALTH

TWENTY-EIGHTH STATE LEGISLATURE  
REGULAR SESSION, 2016

WEDNESDAY, FEBRUARY 3, 2016  
9:00 A.M.

TESTIMONY ON SENATE BILL NO. 2863  
RELATING TO CITATIONS FOR MASSAGE THERAPY VIOLATIONS

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,  
AND TO THE HONORABLE MICHELLE N. KIDANI, VICE CHAIR,  
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on Senate Bill No.2863, Relating to Citations for Massage Therapy Violations. My name is Daria Loy-Goto and I am the Complaints and Enforcement Officer for the Department's Regulated Industries Complaints Office ("RICO"). The Department strongly supports this Administration bill.

Senate Bill No. 2863 authorizes RICO to issue citations to massage therapy licensees for certain violations of the massage therapy laws. The citation process

requires personal service of the citation upon the licensee and affords the licensee the opportunity to request a hearing to contest the citation within twenty calendar days. Senate Bill No. 2863 also provides that failure to pay any assessed fine within thirty calendar days may subject the licensee to further disciplinary action.

Senate Bill No. 2863 establishes a citation process as an additional enforcement tool to address the following specific, technical massage therapy violations by licensees: (1) failing to conspicuously display a massage therapy establishment license; (2) failing to identify all apprentices working at a massage therapy establishment; (3) operating without a principal massage therapist in attendance; and (4) failing to include a current license number in any advertisement.

Senate Bill No. 2863 will expedite RICO's enforcement of certain technical violations of the massage therapy laws and will promote swift compliance by licensees. The bill will also enable RICO staff to concentrate its efforts and resources on more serious violations.

Thank you for the opportunity to testify in strong support of Senate Bill No. 2863. I will be happy to answer any questions the Committee may have.

**PRESENTATION OF THE  
BOARD OF MASSAGE THERAPY**

TO THE SENATE COMMITTEE ON  
COMMERCE, CONSUMER PROTECTION, AND HEALTH

TWENTY-EIGHTH LEGISLATURE  
Regular Session of 2016

Wednesday, February 3, 2016  
9:00 a.m.

**WRITTEN TESTIMONY ONLY**

**TESTIMONY ON SENATE BILL NO. 2863, RELATING TO CITATIONS FOR  
MASSAGE THERAPY VIOLATIONS.**

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

My name is Olivia Nagashima and I am the Chairperson of the Board of Massage Therapy ("Board"). The Board apologizes for not being at today's hearing to present testimony in person in support of Senate Bill No. 2863, Relating to Citations for Massage Therapy Violations. The Board is meeting today from 9:00 a.m. until this afternoon and submits its written testimony.

The Board concurs with the issuance of a citation for specific violations for specific violations of massage therapy laws by licensees, and the process set forth for licensees to contest the citation and for the assessment of fines for each violation.

Thank you for the opportunity to testify in support of Senate Bill No. 2863.