

**PRESENTATION OF THE
BOARD OF BARBERING AND COSMETOLOGY**

TO THE HOUSE COMMITTEE ON
CONSUMER PROTECTION & COMMERCE

TWENTY-NINTH LEGISLATURE
Regular Session of 2017

Tuesday, February 14, 2017
2:00 p.m.

**TESTIMONY ON HOUSE BILL NO. 1081, HOUSE DRAFT 1, RELATING TO
CITATIONS FOR BEAUTY CULTURE VIOLATIONS.**

TO THE HONORABLE ANGUS MCKELVEY, CHAIR,
AND MEMBERS OF THE COMMITTEE:

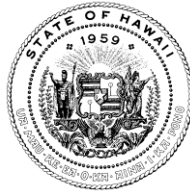
Thank you for the opportunity to present testimony on House Bill No. 1081, House Draft 1, Relating to Citations for Beauty Culture Violations. This bill proposes to authorize the issuance of citations for violations of specific beauty culture laws by licensees and permittees. The proposal also sets forth a process for licensees and permittees to contest the citation and provides for the assessment of fines for each violation. The bill proposes to establish this citation process to provide an alternative means by which the Board of Barbering and Cosmetology ("Board") can address specific beauty culture violations.

At the time of this writing, the Board had not yet met to consider this proposal; however, the Board has been generally supportive of all such enforcement efforts and initiatives in the past. The Board is scheduled to meet on Monday, February 13, 2017 (the afternoon immediately preceding this hearing), at which time the Board will discuss and determine its position on this measure. A representative of the Board will be

Testimony on House Bill No. 1081, H.D. 1
Tuesday, February 14, 2017
Page 2

available to convey this information to the committee at this hearing and to answer any questions that the committee may have.

Thank you for the opportunity to present testimony on House Bill
No. 1081, House Draft 1.



DAVID Y. IGE
GOVERNOR
SHAN S. TSUTSUI
LT. GOVERNOR

STATE OF HAWAII
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
335 MERCHANT STREET, ROOM 310
P.O. Box 541
HONOLULU, HAWAII 96809
Phone Number: 586-2850
Fax Number: 586-2856
cca.hawaii.gov

CATHERINE P. AWAKUNI COLÓN
DIRECTOR
JO ANN M. UCHIDA TAKEUCHI
DEPUTY DIRECTOR

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

TO THE HOUSE COMMITTEE
ON
CONSUMER PROTECTION AND COMMERCE

TWENTY-NINTH STATE LEGISLATURE
REGULAR SESSION, 2017

TUESDAY, FEBRUARY 14, 2017
2:00 P.M.

TESTIMONY ON HOUSE BILL NO. 1081 H.D.1
RELATING TO CITATIONS FOR BEAUTY CULTURE VIOLATIONS

TO THE HONORABLE ANGUS L.K. MCKELVEY, CHAIR,
AND TO THE HONORABLE LINDA ICHIYAMA, VICE CHAIR,
AND MEMBERS OF THE COMMITTEE:

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on House Bill No. 1081 H.D.1, Relating to Citations for Beauty Culture 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.

House Bill No. 1081 H.D.1 authorizes RICO to issue citations to beauty culture licensees for certain violations of the beauty culture 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. House Bill No. 1081 H.D.1 also provides that failure to pay any assessed fine within thirty calendar days may subject the licensee to further disciplinary action.

House Bill No. 1081 H.D.1 establishes a citation process as an additional enforcement tool to address the following specific, technical beauty culture violations by licensees or permittees: (1) failure to conspicuously display a license or permit while engaged in the practice of cosmetology; (2) failure of a beauty shop owner or beauty school to ensure that only appropriately licensed or permitted individuals engage in the practice of cosmetology in the beauty shop or beauty school; (3) failure of a beauty shop to conspicuously display a sign indicating that a price list is available upon request; (4) failure of a beauty school to identify instructors and instructor-trainees with appropriate name tags; (5) failure of a beauty school to operate with an instructor-student ratio of one instructor for every twenty-five students or with a minimum of two licensed instructors; and (6) failure of a beauty school that performs work on members of the public to conspicuously display a sign indicating work is performed by students under supervision.

House Bill No. 1081 H.D.1 will expedite RICO's enforcement of certain technical violations of the beauty culture laws and will promote swift compliance by licensees and permittees. The bill will also enable RICO staff to concentrate its efforts and resources on other violations.

Testimony on House Bill No. 1081 H.D.1
February 14, 2017
Page 3

RICO respectfully requests, however, that the bill's effective date of July 1, 2099, be changed to July 1, 2017.

Thank you for the opportunity to testify in strong support of House Bill No. 1081 H.D.1. I will be happy to answer any questions the Committee may have.