

Honolulu, Hawaii

FEB 07 , 2020

RE: H.B. No. 2201  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 2201  
entitled:

"A BILL FOR AN ACT RELATING TO MASSAGE THERAPISTS,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the Board of Massage Therapy to adopt rules to set qualifications for license and licensure renewal; and
- (2) Prohibit advertising as a massage therapist without a valid massage therapy license or from using advertisements on the internet and social media platforms that depict the human form other than hands, wrists, and forearms.

Your Committee received testimony in support of this measure from the American Massage Therapy Association - Hawaii Chapter. Your Committee received comments on this measure from the Department of the Attorney General, Board of Massage Therapy, and IMUAlliance.



Your Committee acknowledges the testimony from the Department of the Attorney General, noting that this measure may be subject to a challenge under the Free Speech Clauses of the United States Constitution and Hawaii State Constitution for broadly prohibiting certain advertisements on the Internet and social media platforms. Should your Committee on Intrastate Commerce deliberate on this measure, your Committee respectfully requests that it work with the Board of Massage Therapy for a remedy.

Your Committee notes that the Board of Massage Therapy specifically requested an effective date on this measure of July 1, 2024.

Your Committee has amended this measure by changing the effective date to July 1, 2050, to encourage further discussion.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2201, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2201, H.D. 1, and be referred to your Committee on Intrastate Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,

  
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JOHN M. MIZUNO, Chair



**Record of Votes of the Committee on Health**

<b>Bill/Resolution No.:</b> <i>HD 2201</i>	<b>Committee Referral:</b> <i>HLT, IAC, CPC</i>	<b>Date:</b> <i>1-30-20</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
<b>The recommendation is to:</b> <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
<b>HLT Members</b>	<b>Ayes</b>	<b>Ayes (WR)</b>	<b>Nays</b>	<b>Excused</b>
1. MIZUNO, John M. (C)	✓			
2. KOBAYASHI, Bertrand (VC)	✓			
3. BELATTI, Della Au				/
4. NAKAMURA, Nadine K.	✓			
5. SAN BUENAVENTURA, Joy A.	✓			
6. SAY, Calvin K.Y.	✓			
7. TOKIOKA, James Kunane	✓			
8. WARD, Gene	✓			
<b>TOTAL (8)</b>	<i>7</i>	<i>0</i>	<i>0</i>	<i>1</i>
<b>The recommendation is:</b> <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
<b>Vice Chair's or designee's signature:</b> _____ <i>B. J. Keenan</i>				
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