

STAND. COM. REP. NO. 801

Honolulu, Hawaii

MAR 03 2023

RE: S.B. No. 438

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2023  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred S.B. No. 438 entitled:

"A BILL FOR AN ACT RELATING TO PROFESSIONAL AND VOCATIONAL LICENSING,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Reduce the period for which an application shall be considered abandoned from two years to one year after specified notices are provided;
- (2) Specify the conditions under which applications for licenses and examinations will be deemed abandoned;
- (3) Provide that the one-year period after which an application is considered abandoned cannot be extended;
- (4) Provide that a licensing authority shall not be required to act on and may destroy any abandoned applications;  
and
- (5) Clarify that an application submitted after an abandoned application shall be treated as a new application and that the applicant shall comply with any new licensing requirements in effect at the time of the new application.



Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs and Board of Nursing.

Your Committee finds that the Vocational Licensing Division of the Department of Commerce and Consumer Affairs (Division) has experienced a higher than usual backlog of certain health care licensing applications. Many health care workers who intend to be in the State on a temporary basis apply for licensure, but fail to complete the application process prior to leaving the State. Currently, applications must be held open for a period of two years. This measure reduces the amount of time an application must be held open from two years to one year, thereby reducing the volume of applications that the Division must treat as pending, thus allowing the Division to direct its resources to applications requiring active attention.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 438 and recommends that it pass Second Reading and be placed on the calendar for Third Reading.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,




JARRETT KEOHOKALOLE, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Commerce and Consumer Protection**  
**CPN**

Bill / Resolution No.:* <b>SB 438</b>	Committee Referral: <b>CPN</b>	Date: <b>2/22/23</b>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KEOHOKALOPE, Jarrett (C)	✓			
FUKUNAGA, Carol (VC)	✓			
MCKELVEY, Angus L.K.	✓			
RICHARDS, III, Herbert M. "Tim"	✓			
AWA, Brenton	✓			
<b>TOTAL</b>	<b>5</b>	<b>0</b>	<b>0</b>	<b>0</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes