

A Bill for an Act Relating to the Board of Chiropractic Examiners.

*Be It Enacted by the Legislature of the State of Hawaii:*

SECTION 1. Section 442-4, Hawaii Revised Statutes, is amended by amending the first sentence of the second paragraph to read as follows:

“The affirmative vote of a majority of the board is required to carry any motion or resolution, to adopt any rule, or to issue any license provided for in this chapter.”

SECTION 2. Section 442-5, Hawaii Revised Statutes, is amended to read as follows:

“Board’s powers. The board of chiropractic examiners may adopt a seal, which shall be affixed to all official acts of the board; adopt from time to time such rules and regulations as the board may deem proper and necessary for the performance of its work; examine applicants and issue licenses and order the revocation or suspension of licenses to practice chiropractic; summon witnesses and take testimony as to matters pertaining to its duties. Each member may administer oaths and take affidavits, and do any and all things necessary or incidental to the exercise of the powers and duties herein granted or imposed.”

SECTION 3. Section 442-8, Hawaii Revised Statutes, is amended to read as follows:

“License form, authority under. One form of license shall be issued which shall be designated “License to Practice Chiropractic” and which shall authorize the holder thereof to practice chiropractic as defined in Section 442-1 and also to use all necessary mechanical, hygienic, and sanitary measures incident to the care of the body, but shall not authorize the administration of drugs or medicine now or hereafter included in materia medica, or the performance of any surgical operation or the practice of osteopathy, dentistry, or optometry.”

SECTION 4. Section 442-9, Hawaii Revised Statutes, is amended in the following respects:

A. Subsection (a) down to the colon is amended to read as follows:

“(a) The board of chiropractic examiners shall refuse to issue or may order any license issued under this chapter to be revoked or suspended at any time in a proceeding before the board upon any one or more of the following grounds:”

B. Subsection (b) is hereby repealed.

C. Subsection (c) is redesignated “(b)” and amended to read as follows:

“(b) At any time following the suspension or revocation of a license, the board may restore such license with all of its original rights and privileges. Any person to whom such rights have been restored shall pay to the secretary the sum of \$25 upon the issuance of a new license.”

SECTION 5. Section 442-10, Hawaii Revised Statutes, is amended to read as follows:

“Proceedings for revocation or suspension of license. In any proceeding for the revocation or suspension of a license under this chapter for any act or condition listed in Section 442-9, the person whose license is sought to be revoked or suspended shall be given notice and opportunity for hearing in conformity with chapter 91.

“In any such proceeding, the board may subpoena, administer oaths to, and examine witnesses on any relevant matter in such proceeding. The person whose license is sought in such proceeding to be revoked or suspended shall be entitled to require the board or any member thereof to subpoena and to administer oaths to any witness or witnesses who may be able to present evidence relevant in such proceeding, and shall be entitled to examine any such witness and any other witness in such proceeding. The circuit court of the circuit in which the proceeding is held shall have power to enforce by proper proceeding the attendance and testimony of witnesses in such proceeding.

“If any person called before the board as a witness in such proceeding, whether under subpoena or otherwise, except as privileged by law, refuses to answer any question which is relevant to the proceeding and is put to him by the board, a member thereof or the person whose license is sought to be revoked or suspended in such proceeding, or disobeys any order of the circuit court relating to the proceeding, the board shall report the matter in writing to any judge of the circuit court of the circuit in which such proceeding is held and such person shall be cited to appear before the circuit judge to show cause why he should not be punished for contempt of court under chapter 729.

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“Any person who wilfully and knowingly makes under oath any false statement in connection with any such proceeding before the board shall be guilty of perjury and shall be subject to the penalty prescribed by law for perjury. Whenever the board is satisfied that a witness has committed perjury in any proceeding before the board, it shall report the same to the prosecuting officer of the county in which the perjury took place, who shall prosecute the witness for perjury.”

SECTION 6. Section 442-16, Hawaii Revised Statutes, is amended to read as follows:

“Board records. The board shall keep for public inspection, in a book provided for that purpose, a complete list and description of the licenses recorded. When any such license is issued, there shall be stamped upon the face thereof a memorandum of the date of issuance.”

SECTION 7. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes may exclude the brackets, the bracketed material, or the underscoring.\*

SECTION 8. This Act shall take effect on July 1, 1969.

(Approved June 6, 1969.)

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\* Edited accordingly