

A Bill for an Act Relating to Osteopathic Examiners.

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

SECTION 1. Section 327C-1, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

“(a) Except as provided in subsection (b) [of this section], a person shall be considered dead if, in the announced opinion of a physician licensed under part I of chapter 453 [or, physician and surgeon licensed under chapter 460, or physician] excepted from licensure by section 453-2(3), based on ordinary standards of current medical practice, the person has experienced irreversible cessation of spontaneous respiratory and circulatory functions. Death will have occurred at the time when the irreversible cessation of the functions first coincided.

(b) In the event that artificial means of support preclude a determination that respiratory and circulatory functions have ceased, a person shall be considered dead if, in the opinion of an attending physician licensed under part I of chapter 453 [or, attending physician and surgeon licensed under chapter 460, or attending physician] excepted from licensure by section 453-2(3), and of a consulting physician licensed under part I of chapter 453 [or, consulting physician and surgeon licensed under chapter 460, or consulting physician] excepted from licensure by section 453-2(3), based on ordinary standards of current medical practice, the person has experienced irreversible cessation of all functions of the entire brain, including the brain stem. The opinions of the physicians shall be evidenced by signed statements. Death will have occurred at the time when the irreversible cessation of all functions of the entire brain, including the brain stem, first occurred. Death shall be pronounced before artificial means of support are withdrawn and before any vital organ is removed for purposes of transplantation.”

SECTION 2. Section 330-6, Hawaii Revised Statutes, is amended to read as follows:

“§330-6 Definition of “out-of-state practitioner”. The term “out-of-state practitioner” as used in this chapter, includes a physician, surgeon, osteopathic physician[,], and surgeon, dentist, podiatrist, veterinarian, or any other person who is authorized to prescribe drugs to patients under the applicable laws of any state of the United States.”

SECTION 3. Section 460-1, Hawaii Revised Statutes, is amended to read as follows:

“§460-1 License to practice. No person shall practice as an [osteopathic physician or] osteopathic physician and surgeon either gratuitously or for pay,

or shall offer to so practice, or shall advertise or announce, either publicly or privately, that the person is prepared or qualified to so practice, or shall append the letters "Dr." or the letters "D.O." to the person's name, with the intent thereby to imply that the person is a practitioner as an [osteopathic physician or] osteopathic physician and surgeon, without having a valid unrevoked license, obtained from the board of osteopathic examiners, in form and manner substantially as hereinafter set forth.

Nothing herein shall:

- (1) [applies] Apply to any [osteopathic physician or] osteopathic physician and surgeon from another state who is in actual consultation with a licensed physician of this State if the physician from another state is licensed to practice in the state in which the physician resides; provided[,] that the physician from another state shall not open an office, or administer treatment to any patient except in actual temporary consultation with a resident licensed physician of [the] this State[.]; or
- (2) Prohibit services rendered by any physician's assistant when such services are rendered under the direction and control of an osteopathic physician and surgeon licensed in this State. Such direction and control shall not be construed in every case to require the personal presence of the supervising and controlling osteopathic physician and surgeon. Any osteopathic physician and surgeon who employs or directs a physician's assistant shall retain full professional and personal responsibility for any act which constitutes the practice of medicine when performed by such physician's assistant."

SECTION 4. Section 460-3, Hawaii Revised Statutes, is amended to read as follows:

"§460-3 Board of osteopathic examiners. No person shall be licensed by the board of osteopathic examiners to practice as an [osteopathic physician or as an] osteopathic physician and surgeon unless the applicant has been duly examined and found to be possessed of the necessary qualifications, or found to be otherwise qualified as herein provided."

SECTION 5. Section 460-4, Hawaii Revised Statutes, is amended to read as follows:

"§460-4 Board; appointment, powers and duties. The governor shall appoint and may remove in the manner prescribed in section 26-34 a board of osteopathic examiners, consisting of five persons, three of whom shall be [osteopathic physicians or] osteopathic physicians and surgeons licensed under the laws of [the] this State and two of whom shall be public members.

The board [may] shall examine all applicants for licenses to practice as [osteopathic physicians or as] osteopathic physicians and surgeons. [Examinations shall be held quarterly at a time and a place to be fixed by the board, of which examinations all applicants shall be notified in writing.] In lieu of the board's written examination, the board will accept the national board of examiners for osteopathic physicians and surgeons (NBEOPS) with scores deemed satisfactory by the board and who otherwise meets the requirements of the laws of this State. Subject to chapter 91 and with the approval of the governor and the director of commerce and consumer affairs, the board may make, amend, and repeal all necessary rules relating to the enforcement of this chapter and not inconsistent therewith. The members of the board shall serve without pay."

SECTION 6. Section 460-5, Hawaii Revised Statutes, is amended by amending subsections (a) and (b) to read as follows:

“(a) No applicant for a license to practice as an [osteopathic physician or as an] osteopathic physician or¹ surgeon shall be examined until the applicant has paid to the board of osteopathic examiners application and examination fees.

(b) Section 460-2 and any other provisions of this chapter to the contrary notwithstanding, there shall be paid to the board by every person licensed to practice as an [osteopathic physician or an] osteopathic physician and surgeon, biennially in each even-numbered year on or before June 30, a renewal fee. Failure of any licensee to pay any renewal fee shall work a forfeiture of the license. Licenses forfeited by this section shall be reissued upon payment of a penalty fee and all fees which the licensee would have paid if the licensee had continuously renewed the license.”

SECTION 7. Section 460-6, Hawaii Revised Statutes, is amended to read as follows:

“§460-6 Application for license. Each applicant for a license provided for in this chapter shall comply with the following requirements:

- (1) Make application on blank forms prepared and furnished by the board of osteopathic examiners;
- (2) Submit evidence verified on oath and satisfactory to the board that the applicant [is eighteen years of age, or over, is of good moral character, and] is a graduate of a school or college of osteopathy which is approved by the American Osteopathic Association; and
- (3) [Designate on the application whether the applicant desires to practice as an osteopathic physician or as an osteopathic physician and surgeon.] Submit satisfactory evidence to the board that the applicant has served an internship of at least one year in a hospital approved by the American Osteopathic Association and the American College of Osteopathic Surgeons, or the equivalent of the requirement as determined by the board, if the applicant graduated prior to 1943.”

SECTION 8. Section 460-8, Hawaii Revised Statutes, is amended to read as follows:

“§460-8 License issued. Each applicant who successfully passes the examination shall pay a license fee[. The following kinds of license shall be issued:

- (1) To[] to practice as an osteopathic physician and surgeon in accordance with the teachings of legally chartered and approved colleges of osteopathy in good standing, with the following rights, among others, to wit: to practice obstetrics; to practice surgery [other than major surgery]; and to administer anesthetics, antiseptics, germicides, parasiticides, biologicals, narcotics, and antidotes[; or
- (2) To practice as an osteopathic physician and surgeon. This license confers unlimited surgical rights, as well as the right to practice in all other respects as an osteopathic physician].”

SECTION 9. Section 460-9, Hawaii Revised Statutes, is amended by amending subsections (a), (c) and (d) to read as follows:

“(a) The board of osteopathic examiners, in its discretion, may issue a license, without examination, to a practitioner who has been licensed in any country, state, territory, or province[, upon the following conditions:

- (1) That the applicant is of good moral character;
- (2) That the applicant shall designate in the application whether the applicant desires to practice as an osteopathic physician, or as an osteopathic physician and surgeon;
- (3) That the requirements for a license in the country, state, territory, or province in which the applicant is licensed, are deemed by the board of osteopathic examiners to have been practically equivalent to the requirements for a license in force in the State at the date of the license; and
- (4) That the applicant has practiced the profession as an osteopathic physician for three years prior to the date of the application.]; provided the requirements for a license in the country, state, territory, or province in which the applicant is licensed, are deemed by the board of osteopathic examiners to have been practically equivalent to the requirements for a license in force in this State at the date of the license.

(c) The board, in its discretion, may issue a license, without examination, to an osteopathic physician and surgeon who is a graduate of an approved osteopathic college in good standing and who has passed an examination for admission into the medical corps of the United States Army, Navy, or Public Health Service.

(d) The board, in its discretion, may accept the federation licensing examination (FLEX).

[(d)] (e) The application and license fees for the licenses shall be paid to the board at the time of application. In case the application is not approved by the board the license fee shall be returned to the applicant.”

SECTION 10. Section 460-11, Hawaii Revised Statutes, is amended to read as follows:

“§460-11 Privileges and obligations. Osteopathic physicians and [osteopathic physicians and] surgeons shall observe and be subject to all state and [municipal] county regulations relative to reporting births and deaths and all matters pertaining to the public health, with equal rights and obligations as physicians of other schools of medicine.

In public institutions, osteopathic physicians and [osteopathic physicians and] surgeons licensed hereunder shall have the same privileges and the same rights to practice their profession in the treatment of cases and the same right to hold office as are accorded to physicians and surgeons of other schools.”

SECTION 11. Section 460-14, Hawaii Revised Statutes, is amended to read as follows:

“§460-14 Notice of charges, hearing. (a) In any proceedings before the board of osteopathic examiners for the revocation or suspension of a license under this chapter, upon any of the grounds listed in section 460-12, the person whose license is sought to be revoked or suspended shall be given, pursuant to chapter 91, reasonable written notice of the charge or charges upon which the proceeding is based and of the time and place where a hearing will be held and shall be given reasonable opportunity to be heard and present evidence in the person’s defense.

In the proceeding, the board may subpoena, administer oaths to, and examine witnesses on any relevant matter in the proceeding. The person whose license is sought in the 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 the proceeding, and shall be entitled to examine the witness and any other witness in the 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 the proceeding.

(b) If any person called before the board as a witness in the 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 the person by the board, a member thereof, or the person whose license is sought to be revoked or suspended in the 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 the proceeding is held and the person shall be cited to appear before the circuit judge to show cause why the person should not be punished for contempt of court [under section 710-1077].

(c) Any person who wilfully and knowingly makes, under oath, any false statement in connection with any proceeding before the board shall be [guilty of perjury and shall be] subject to [the penalty prescribed by law for perjury.] chapter 710, part V. Whenever the board is satisfied that a witness has [committed perjury] violated chapter 710, part V in any proceeding before the board, it shall report the same to the prosecuting officer of the county in which [the perjury] such violation took place, who shall prosecute the witness [for perjury].”

SECTION 12. Section 460-17, Hawaii Revised Statutes, is amended to read as follows:

“**§460-17 Records.** The board of osteopathic examiners shall keep a record which shall be open to public inspection at all reasonable times, of its proceedings relating to the issuance, refusal, renewal, suspension, and revocation of licenses to practice [osteopathy or] osteopathy and surgery. This record shall also contain the name, known place of business and residence, and the date and number of the license of every registered [osteopath.] osteopathic physician and surgeon.”

SECTION 13. Section 460-7, Hawaii Revised Statutes, is repealed.

SECTION 14. Section 460-12, Hawaii Revised Statutes, is amended to read as follows:

“**§460-12 Refusal, suspension, and revocation of license.** The board may refuse to issue a license, or may suspend or revoke any license at any time in a proceeding before the board upon any one or more of the following grounds:

- (1) Procuring or aiding or abetting in procuring a criminal abortion;
- (2) Employing [what are popularly known as “cappers” or “steerers”];] any person to solicit patients for one’s self;
- [(3) Obtaining any fee on the assurance that a manifestly incurable disease can be permanently cured;
- (4)] (3) Wilfully betraying a professional secret;
- [(5) Making any untruthful and improbable statement in advertising one’s practice or business under this chapter;
- (6) False, fraudulent, or deceptive advertising;

- (7) Advertising any medicine or any means whereby the monthly periods of women can be regulated or the menses reestablished if suppressed;
- (8) Being habitually intemperate;
- (9) Habitual use of any habit-forming drug such as opium, or any of its derivatives, morphine, heroin, cocaine, or any other habit-forming drug;
- (10) Procuring a license through fraud, misrepresentation, or deceit;
- (11) Professional misconduct, gross carelessness and manifest incapacity in the practice of osteopathy.]
- (4) Engaging in false, fraudulent, or deceptive advertising, including, but not limited to:
 - (A) Making excessive claims of expertise in one or more medical specialty fields;
 - (B) Assuring a permanent cure for an incurable disease; or
 - (C) Making any untruthful and improbable statement in advertising one's osteopathic practice or business;
- (5) Being habituated to the excessive use of drugs or alcohol; or being addicted to, dependent on, or an habitual user of a narcotic, barbiturate, amphetamine, hallucinogen, or other drug having similar effects;
- (6) Practicing medicine while the ability to practice is impaired by alcohol, drugs, physical disability, or mental instability;
- (7) Procuring a license through fraud, misrepresentation, or deceit or knowingly permitting an unlicensed person to perform activities requiring a license;
- (8) Professional misconduct, gross carelessness, or manifest incapacity in the practice of osteopathy;
- (9) Negligence or incompetence, including, but not limited to, the consistent use of medical service in osteopathy which is inappropriate or unnecessary;
- (10) Conduct or practice contrary to recognized standards of ethics of the osteopathic profession as adopted by the American Osteopathic Association;
- (11) Revocation, suspension, or other disciplinary action by another state of a license or certificate for reasons as provided in this section;
- (12) Conviction, whether by nolo contendere or otherwise, of a penal offense substantially related to the qualifications, functions, or duties of an osteopathic physician and surgeon, notwithstanding any statutory provision to the contrary;
- (13) Violation of chapter 329, uniform controlled substance act, or any regulation adopted thereunder; or
- (14) Failure to report disciplinary action taken against the licensee in another jurisdiction."

SECTION 15. Chapter 460, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§460- Practice of osteopathy defined. Osteopathic medicine and surgery is a separate, complete, and independent school of medicine and surgery utilizing full methods of diagnosis and treatment in physical and mental health and disease, including the prescribing and administration of drugs and biologicals of all kinds, operative surgery, obstetrics, radiological, and other

electromagnetic emissions, and placing special emphasis on the interrelation of the neuro-musculoskeletal system to all other body systems, and the amelioration of disturbed structure-function relationships by the clinical application of the osteopathic diagnostic and therapeutic skills for the maintenance of health and treatment of disease.”

SECTION 16. Chapter 460, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§460- Voluntary limitation of license. A licensee may request, in writing, that the board limit the individual’s license to practice. The board may grant the request and may impose conditions on the limited license. The board shall determine whether and when such limitation shall be removed.”

SECTION 17. Chapter 460, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§460- Disciplinary action. In disciplining a licensee in a proceeding under section 460-12, the board may impose one or more of the following actions:

- (1) Place the licensee on probation, including such conditions of probation as requiring observation of the licensee by an appropriate group or society of licensed osteopathic physicians and surgeons;
- (2) Suspend the license;
- (3) Revoke the license;
- (4) Limit the license by restricting the fields of practice in which the licensee may engage;
- (5) Fine the licensee, including assessment against the licensee of the costs of the disciplinary proceedings;
- (6) Temporarily suspend the license for not more than thirty days without a hearing, when the board finds the practice of the licensee probably constitutes an immediate and grave danger to the public; or
- (7) Require further education or training or require proof of performance competency.”

SECTION 18. Section 329-44, Hawaii Revised Statutes, is amended to read as follows:

“§329-44 Notice of conviction to be sent to licensing board, department of commerce and consumer affairs. On the conviction of any physician, osteopathic physician and surgeon, dentist, podiatrist, veterinarian, practitioner, apothecary, manufacturer, wholesaler, or producer, of the wilful violation of this chapter, a copy of the sentence and of the opinion of the court or district judge, if any is filed, shall be sent by the clerk of the court, or by the judge, to the board or officer, if any, by whom the convicted defendant has been licensed to practice his profession or to carry on his business; and if the convicted defendant is a physician[,] or osteopathic physician and surgeon, a copy of the sentence and of the opinion, if any, shall be sent to the department of commerce and consumer affairs.”

SECTION 19. Chapter 460, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

“§460- Reporting requirements. (a) Every osteopathic physician and surgeon licensed pursuant to this chapter who does not possess professional liability insurance shall report any settlement or arbitration award of a claim or

action for damages for death or personal injury caused by negligence, error, or omission in practice, or the unauthorized rendering of professional services. The report shall be submitted to the department of commerce and consumer affairs within thirty days after any written settlement agreement has been reduced to writing and signed by all the parties thereto or thirty days after service of the arbitration award on the parties.

(b) Failure of an osteopathic physician and surgeon to comply with the provisions of this section is an offense punishable by a fine of not less than \$100 for the first offense, \$250 to \$500 for the second offense, and \$500 to \$1,000 for subsequent offenses.

(c) The clerks of the respective courts of this State shall report to the department any judgment or other determination of the court which adjudges or finds that an osteopathic physician and surgeon is liable criminally or civilly for any death or personal injury caused by professional negligence, error, or omission in the practice of the osteopathic physician and surgeon's profession, or rendering of unauthorized professional services. The report shall be submitted to the department within ten days after the judgment is entered by the court.

(d) The department shall prescribe forms for the submission of reports required by this section."

SECTION 20. Chapter 460, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§460- Review of complaints and information by department. (a) The department of commerce and consumer affairs shall review each complaint and information received under sections 92-17, 329-44, 460- , 663-1.7, 671-5, and 671-15. The department shall investigate the complaint or information if it appears that the osteopathic physician and surgeon who is the subject of the complaint or information has violated this chapter. If the department determines that the osteopathic physician and surgeon has violated this chapter, the department shall present the results of its investigation to the board of osteopathic examiners for appropriate disciplinary proceedings.

(b) Reports of adverse decisions of peer review committees transmitted to the department under section 663-1.7 shall not be available to public inspection or subject to discovery and shall be held confidential by the department; provided that:

- (1) A written affirmative or negative reply may be given to a written inquiry by a hospital or health care facility as to whether a report of an adverse decision is on file with the department; and
- (2) A subpoenaed report shall be subject to the requirements under section 460- ."

SECTION 21. Chapter 460, Hawaii Revised Statutes, is amended by adding a new section to be appropriately designated and to read as follows:

"§460- Subpoena of peer review adverse decision report. In connection with an investigation under section 460- , the director of commerce and consumer affairs may issue subpoenas, pursuant to section 26-9(i), compelling the production of hospital records of patients whose cases were reviewed by a peer review committee that filed a report pursuant to section 663-1.7, notwithstanding section 624-25.5. A medical society, hospital, or health care facility shall expunge from the documents specific patient identifiers. Information for investigation which was obtained through a subpoena shall be for the sole use by the department of commerce and consumer affairs to carry out its responsibilities and functions and shall be held confidential by the department,

unless the information is admissible evidence at a hearing held under section 460-14. This investigation shall be deemed a sensitive matter related to public safety under section 92-5."

SECTION 22. Section 671-5, Hawaii Revised Statutes, is amended by amending subsection (b) to read as follows:

"(b) The insurance commissioner shall forward the name of every health care provider, except a hospital or physician licensed under chapter 453[,] or an osteopathic physician and surgeon licensed under chapter 460, against whom a settlement is made, an arbitration award is made, or judgment is rendered to the appropriate board of professional registration and examination for review of the fitness of the health care provider to practice his profession. The insurance commissioner shall forward the entire report under subsection (a) to the department of commerce and consumer affairs if the person against whom settlement or arbitration award is made or judgment rendered is a physician licensed under chapter 453[,] or an osteopathic physician and surgeon licensed under chapter 460."

SECTION 23. Section 671-15, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) Within thirty days after the completion of a hearing, the medical claim conciliation panel shall file a written advisory decision with the insurance commissioner who shall thereupon mail copies to all parties concerned, their counsel, and the representative of each health care provider's liability insurance carrier authorized to act for such carrier, and the board of osteopathic examiners, as appropriate. The insurance commissioner also shall mail copies of the advisory decision to the department of commerce and consumer affairs, if the claim is against a physician or surgeon licensed under chapter 453[,] or an osteopathic physician and surgeon licensed under chapter 460. The panel shall decide the issue of liability and shall state its conclusions in substantially the following language: "We find the health care provider was actionably negligent in his or her care and treatment of the patient and we, therefore, find for the claimant"; or "We find the health care provider was not actionably negligent in his or her care and treatment of the patient and we, therefore, find for the health care provider".

SECTION 24. Any license issued under Chapter 460, Hawaii Revised Statutes, prior to the effective date of this Act, shall remain in effect and subsequent renewal of such licenses shall be in accordance with sections 3 through 17 of this Act.

SECTION 25. Section 26H-4, Hawaii Revised Statutes, is amended to read as follows:

"§26H-4 Repeal dates. [(a) The following chapter is hereby repealed effective December 31, 1984:

(1) Chapter 436D (Board of Acupuncture)

(b)] (a) The following chapters are hereby repealed effective December 31, 1985:

[(1) Chapter 460 (Board of Osteopathic Examiners)

(2)] (1) Chapter 461 (Board of Pharmacy)

[(3)] (2) Chapter 455 (Board of Examiners in Naturopathy)

[(4)] (3) Chapter 463E (Podiatry)

[(5)] (4) Chapter 451A (Board of Hearing Aid Dealers and Fitters)

- trators) [(6)] (5) Chapter 457B (Board of Examiners of Nursing Home Adminis-
trators)
- [(7)] (6) Chapter 448H (Elevator Mechanics Licensing Board)
- [(8)] (7) Chapter 462A (Board of Pilot Commissioners)
- [(c)] (b) The following chapters are hereby repealed effective December
31, 1986:
- (1) Chapter 437 (Motor Vehicle Industry Licensing Board)
 - (2) Chapter 437B (Motor Vehicle Repair Industry Board)
 - (3) Chapter 440 (Boxing Commission)
 - (4) Chapter 460J (Pest Control Board)
 - (5) Chapter 438 (Board of Barbers)
 - (6) Chapter 439 (Board of Cosmetology)
- [(d)] (c) The following chapters are hereby repealed effective December
31, 1987:
- (1) Chapter 458 (Board of Dispensing Opticians)
 - (2) Chapter 459 (Board of Examiners in Optometry)
 - (3) Chapter 452 (Board of Massage)
 - (4) Chapter 471 (Board of Veterinary Examiners)
 - (5) Chapter 441 (Cemeteries and Mortuaries)
 - (6) Chapter 463 (Board of Detectives and Guards)
- [(e)] (d) The following chapters are hereby repealed effective December
31, 1988:
- (1) Chapter 465 (Board of Certification for Practicing Psychologists)
 - (2) Chapter 468E (Board of Speech Pathology and Audiology)
 - (3) Chapter 359L (Factory Built Housing Advisory Board)
 - (4) Chapter 468B (Solar Energy Device Dealers)
 - (5) Chapter 468K (Travel Agencies)
 - (6) Chapter 373 (Commercial Employment Agencies)
 - (7) Chapter 442 (Board of Chiropractic Examiners)
 - (8) Chapter 448 (Board of Dental Examiners)
- [(f)] (e) The following chapters are hereby repealed effective December
31, 1989:
- (1) Chapter 444 (Contractors License Board)
 - (2) Chapter 448E (Board of Electricians and Plumbers)
 - (3) Chapter 464 (Board of Registration of Professional Engineers,
Architects, and Surveyors)
 - (4) Chapter 466 (Board of Public Accountancy)
 - (5) Chapter 467 (Real Estate Commission)
- [(g)] (f) The following chapters are hereby repealed effective December
31, 1990:
- (1) Chapter 447 (Dental Hygienists)
 - (2) Chapter 453 (Board of Medical Examiners)
 - (3) Chapter 457 (Board of Nursing)[.]
- [(h)] (g) The following chapter is hereby repealed effective December 31,
1991:
- (1) Chapter 460 (Board of Osteopathic Examiners)."

SECTION 26. Statutory material to be repealed is bracketed. New statutory material is underscored.²

SECTION 27. This Act shall take effect upon its approval.

(Approved June 3, 1985.)

Notes:

1. Prior to amendment, "or" read "and".
2. Edited pursuant to HRS §23G-16.5.