

ACT 304

S.B. NO. 1390

A Bill for an Act Relating to Traditional Hawaiian Healing Practices.

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

SECTION 1. Section 453-2, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Nothing herein shall prohibit traditional Hawaiian healing practices by traditional native Hawaiian healers, both as recognized and certified as such by [the] a panel convened by Papa Ola Lokahi. No person or organization involved with the selection of panel members or the denial of certification of healers under this subsection shall be held liable for any cause of action that may arise out of their participation in the selection or certification process.”

SECTION 2. Act 162, Session Laws of Hawaii 1998, is amended by amending subsection (a) of section 4 to read as follows:

“(a) Papa Ola Lokahi shall convene [a] at least one panel of traditional native Hawaiian healers to address issues and recommend legislation relating to the permanent implementation of the purposes of this Act~~;~~and. A panel shall consist of any number of members deemed necessary by Papa Ola Lokahi; provided that at least three native Hawaiian persons who are deemed by the Papa Ola Lokahi to be proficient in the practice of traditional native Hawaiian healing methods shall be members of any such panel. Once a panel is established, subsequent members shall be chosen by a majority of the existing panel members sitting on that panel; provided that if a prospective member claims to be proficient in the practice of traditional native Hawaiian healing methods, then the approval of a majority of the native Hawaiian healers on the panel shall be required.”

SECTION 3. Act 162, Session Laws of Hawaii 1998, as amended by Act 209, Session Laws of Hawaii 2000, is amended by amending section 6 to read as follows:

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“SECTION 6. This Act shall take effect upon its approval[; ~~provided that on July 1, 2002, subsection (c) of section 453-2, Hawaii Revised Statutes, shall be repealed~~].”

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect upon its approval.

(Approved June 28, 2001.)