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## **Testimony of the Department of Commerce and Consumer Affairs**

**Before the**  
**House Committee on Consumer Protection & Commerce**  
**Tuesday, February 4, 2025**  
**2:00 p.m.**  
**Conference Room 329 & Via Videoconference**

**On the following measure:**  
**H.B. 1054, RELATING TO RELATING TO ADMINISTRATIVE LICENSURE ACTIONS**  
**AGAINST SEX OFFENDERS.**

Chair Matayoshi and Members of the Committee:

My name is Nadine Ando, and I am the Director of the Department of Commerce and Consumer Affairs (Department). The Department supports this administration bill.

The purpose of this bill is to authorize the Department and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

The impetus for this administrative bill was the discovery that Hawaii, unlike the State of California, does not have a law that allows the Department's professional and vocational licensing boards, commissions and programs (Boards) to act more swiftly to safeguard clients and customers when a convicted licensee is required to register as a sex offender. This measure changes that.

First, section “a” calls for the immediate revocation of a license, and denial of an application, when a person is convicted of an offense warranting registry, or, is required to be registered as a sex offender.

Second, section “b” and “c” of the measure affords due process by allowing the registrant an opportunity to immediately appeal the Board’s action to revoke or deny licensure.

Third, the measure is narrowly construed to apply only to those regulated professions and vocations that have close, physical contact with customers and clients in a private or semi-private setting such as healthcare practitioners; and where counseling and advising in a private or semi-private setting occurs; and where a licensee may obtain or have access to private or sensitive information from or about a customer or client.<sup>1</sup>

We ask that the bill be passed out of committee so that the Department and its Boards can better protect consumers through swifter action against individuals who have been convicted of certain crimes mandating that they be registered as sex offenders, and, for those who are required to register as such.

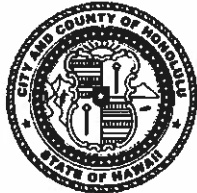
Thank you for the opportunity to testify.

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<sup>1</sup> These professions and vocations are governed by the Boards listed on page 1, lines 11 – 17, and, page 2, lines 1 – 9.

HONOLULU POLICE DEPARTMENT  
KA 'OIHANA MĀKA'I O HONOLULU  
**CITY AND COUNTY OF HONOLULU**

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HOPE LUNA NUI MĀKA'I

OUR REFERENCE **CL-DNK**

February 4, 2025

The Honorable Scot Z. Matayoshi, Chair  
and Members  
Committee on Consumer Protection  
and Commerce  
415 South Beretania Street, Room 329  
Honolulu, Hawaii 96813

Dear Chair Matayoshi and Members:

**SUBJECT: House Bill No. 1054, Relating to Administrative Licensure Actions  
Against Sex Offenders**

I am Carlene Lau, Acting Major of the Records and Identification Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 1054, Relating to Administrative Licensure Actions Against Sex Offenders. This bill allows the Department of Commerce and Consumer Affairs (DCCA) and certain licensing boards the ability to automatically revoke and refuse to renew, restore, or reinstate the professional license for certain professions when the licensee is a registered sex offender.

Current laws do not facilitate the timely revocation or denial of a renewal, restoration, or reinstatement of a license for certain professions (e.g., masseuse, acupuncturist, athletic trainer, barber, cosmetologist, and therapist) when the licensee is a registered sex offender.

This addition to the statute would allow the DCCA and certain licensing boards the ability to take a more expeditious approach against registered sex offenders who are in certain professions that involve close physical contact with consumers and require a professional license to operate.

Due to the nature of these professions, which involve close physical contact, any delayed action in revoking a license and preventing further practice by a registered sex offender places consumers in unnecessary risk.

The Honorable Scot Z. Matayoshi, Chair  
and Members  
February 4, 2025  
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The HPD urges you to support House Bill No. 1054, Relating to Administrative Licensure Actions Against Sex Offenders, as it aids in protecting the public from registered sex offenders who are operating in professions that the public tend to entrust with their physical safety.

Thank you for the opportunity to testify.

Sincerely,



Carlene Lau, Acting Major  
Records and Identification Division

APPROVED:



~~For~~ Arthur J. Logan  
Chief of Police

**Testimony of the Board of Physical Therapy**

**Before the  
House Committee on Consumer Protection and Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi and Members of the Committee:

My name is Rochelle Araki, and I am the Executive Officer of the Board of Physical Therapy (Board). The Board supports this bill.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

Current laws do not facilitate the timely revocation of a license and denial of a renewal, restoration, or reinstatement of a license for certain professions when the licensee becomes or is found to be a registered sex offender. This bill allows for the automatic revocation of a license or denial of an application to renew, reinstate, or restore a license for certain professions when the licensee is a registered sex offender.

Thank you for the opportunity to testify, and we respectfully ask the Committee to pass this bill.

**Before the  
House Committee on Consumer Protection & Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi and Members of the Committee:

My name is Sheena Choy, and I am the Executive Officer of the Board of Dentistry (Board). The Board supports sections 6 and 7 of this bill and takes no positions on the other sections of the bill.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

The professional relationship between licensed dentists and dental hygienists with patients is built on trust, with the provider holding a position of power due to their expertise, authority, and ability to make decisions that impact a patient's health. The imbalance of power makes trust essential, as patients rely on health professionals to act in their best interests. In the health setting, there are one-on-one interactions between the dentist or dental hygienist and patients, increasing the need to safeguard against misconduct; pediatric patients are particularly vulnerable. The amendments to Hawaii Revised Statutes (HRS) chapter 447 in section 6 and HRS chapter 448 in section 7 of this bill will facilitate a more expeditious removal of registered sex offenders from practice than current laws allow.

The Board appreciates the intent of this bill to enhance protections safeguarding the health, safety, and welfare of the public.

Thank you for the opportunity to testify on this bill.

**Testimony of the Hawaii Board of Psychology**

**Before the  
House Committee on Consumer Protection and Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi and Members of the Committee:

My name is Christopher Fernandez, and I am the Executive Officer of the Board of Psychology (Board). The Board will review this bill at its February 7, 2025 meeting and in the meantime, offers the following comments on this measure.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

Current laws do not facilitate the timely revocation of a license and denial of a renewal, restoration, or reinstatement of a license for certain professions when the licensee becomes or is found to be a registered sex offender. This bill allows for the automatic revocation of a license or denial of an application to renew, reinstate, or restore a license for certain professions when the licensee is a registered sex offender.

Thank you for the opportunity to testify.

**Testimony of the Hawaii Board of Naturopathic medicine**

**Before the  
House Committee on Consumer Protection and Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi and Members of the Committee:

My name is Christopher Fernandez, and I am the Executive Officer of the Board of Naturopathic Medicine (Board). The Board will review this bill at its February 14, 2025 meeting and in the meantime, offers the following comments on this measure.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

Current laws do not facilitate the timely revocation of a license and denial of a renewal, restoration, or reinstatement of a license for certain professions when the licensee becomes or is found to be a registered sex offender. This bill allows for the automatic revocation of a license or denial of an application to renew, reinstate, or restore a license for certain professions when the licensee is a registered sex offender.

Thank you for the opportunity to testify.



**Testimony of the Board of Massage Therapy**

**Before the  
House Committee on Consumer Protection & Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi and Members of the Committee:

My name is Sheena Choy, and I am the Executive Officer of the Board of Massage Therapy (Board). The Board supports section 11 of this bill and takes no positions on other sections of the bill.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

The professional relationship between licensed massage therapists and patients is built on trust, with the therapist holding a position of power due to their expertise, authority, and ability to make decisions that impact a patient's health. The practice of massage therapy necessarily involves physical contact with clients, often in a private one-on-one setting, where proper draping ensures that clients' privacy is respected if they are not fully clothed. Given these factors, it is vital that clients can trust massage therapists to provide safe touch in a secure setting. The amendments to Hawaii Revised Statutes (HRS) chapter 452 in section 11 of this bill will facilitate a more expeditious removal of registered sex offenders from practice than current laws allow, providing greater protection to an already vulnerable client population.

The Board appreciates the intent of the bill to maintain the integrity of the massage therapy profession, and safeguard against inappropriate conduct that jeopardizes the health, safety, and welfare of the public.

Thank you for the opportunity to testify on this bill.

**Testimony of the Hawaii Board of Optometry**

**Before the  
House Committee on Consumer Protection & Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi, and Members of the Committee:

My name is Kerrie Shahan, and I am the Executive Officer of Hawaii Board of Optometry (Board). The Board offers comments on section 21 of this bill and takes no positions on other sections of the bill.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

While the Board has not had the opportunity to review this bill, the Board has been supportive of previous measures that protect the public interest and welfare. The Board will review this bill at its next publicly noticed meeting on February 10, 2025.

Please note that on page 2, line 5, the bill uses a repealed name for the Board and not the current name found in 459, Hawaii Revised Statutes.

Thank you for this opportunity to testify on this bill.

**Testimony of the Hawaii Board of Barbering and Cosmetology**

**Before the  
House Committee on Consumer Protection & Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi, and Members of the Committees:

My name is Kerrie Shahan, and I am the Executive Officer of Board of Barbering and Cosmetology (Board). The Board offers comments on section 4 of this bill and takes no positions on other sections of the bill.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

While the Board has not had the opportunity to review this bill, the Board has been supportive of previous measures that protect the public interest and welfare.

For the Committee's information, the Board will review this bill at its next publicly noticed meeting on February 11, 2025.

Thank you for this opportunity to testify on this bill.

**Testimony of the Board of Nursing**

**Before the  
House Committee on Consumer Protection and Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054 RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi and Members of the Committee:

My name is Alexander Pang, and I am an Executive Officer for the Board of Nursing (Board). The Board offers comments on section 15 of this bill and takes no position on other sections of this bill.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

While the Board has not had the opportunity to review this bill, the Board has been supportive of past measures that enhance public safety and welfare. Further, the Board has also supported similar measures that hold applicants and licensees accountable for their actions.

For the Committee's information, the Board will review this bill at its next publicly noticed meeting on February 6, 2025.

Thank you for the opportunity to testify on this bill.

**Testimony of the Hawaii Board of Chiropractic**

**Before the  
House Committee on Consumer Protection and Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi and Members of the Committee:

My name is Rochelle Araki, and I am the Executive Officer of the Hawaii Board of Chiropractic (Board). The Board supports this bill.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

Current laws do not facilitate the timely revocation of a license and denial of a renewal, restoration, or reinstatement of a license for certain professions when the licensee becomes or is found to be a registered sex offender. This bill allows for the automatic revocation of a license or denial of an application to renew, reinstate, or restore a license for certain professions when the licensee is a registered sex offender.

Thank you for the opportunity to testify, and we respectfully ask the Committee to pass this bill.

**Testimony of the Hawaii Medical Board**

**Before the  
House Committee on Consumer Protection and Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi and Members of the Committee:

My name is Chelsea Fukunaga, and I am the Executive Officer of the Hawaii Medical Board (Board). The Board supports sections 12 and 24 of this bill and takes no positions on other sections of the bill.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

The amendments to HRS chapter 453 under section 12 and HRS chapter 463E under section 24 of the bill will provide enhanced protections for the public by facilitating the timely revocation of licenses for individuals found to be a registered sex offender. Further, the provisions which enable the Board to automatically deny the renewal, restoration, or reinstatement of licenses for individuals found to be a registered sex offender will allow for more expeditious removal of these individuals from practice than the current laws allow.

Thank you for the opportunity to testify on this bill.

**Testimony of the Board of Acupuncture**

**Before the  
House Committee on Consumer Protection and Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi and Members of the Committee:

My name is Chelsea Fukunaga, and I am the Executive Officer of the Board of Acupuncture ("Board"). The Board offers comments on section 2 of this bill and takes no positions on other sections of the bill.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

While the Board has not had the opportunity to review this bill, the Board has been supportive of previous measures that strengthen public protection.

For the Committee's information, the Board will review this bill at its next publicly noticed meeting on February 27, 2025.

Thank you for the opportunity to testify on this bill.

**Testimony of the Hawaii Board of Speech Pathology and Audiology**

**Before the  
House Committee on Consumer Protection and Commerce  
Tuesday, February 4, 2025  
2:00 p.m.  
Conference Room 329 and Videoconference**

**On the following measure:  
H.B. 1054, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX  
OFFENDERS**

Chair Matayoshi and Members of the Committee:

My name is Christopher Fernandez, and I am the Executive Officer of the Board of Speech Pathology and Audiology (Board). The Board supports this measure.

The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

Current laws do not facilitate the timely revocation of a license and denial of a renewal, restoration, or reinstatement of a license for certain professions when the licensee becomes or is found to be a registered sex offender. This bill allows for the automatic revocation of a license or denial of an application to renew, reinstate, or restore a license for certain professions when the licensee is a registered sex offender.

Thank you for the opportunity to testify.