



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I
OFFICE OF THE DIRECTOR
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS

NADINE Y. ANDO
DIRECTOR | KA LUNA HO'OKELE

JOSH GREEN, M.D.
GOVERNOR | KE KIA'ĀINA
SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

DEAN I HAZAMA
DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

KA 'OIHANA PILI KĀLEPA
335 MERCHANT STREET, ROOM 310
P.O. BOX 541
HONOLULU, HAWAII 96809
Phone Number: (808) 586-2850
Fax Number: (808) 586-2856
cca.hawaii.gov

Testimony of the Department of Commerce and Consumer Affairs

Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Conference Room 229 & Via Videoconference

On the following measure:
S.B. 1373, RELATING TO RELATING TO ADMINISTRATIVE LICENSURE ACTIONS
AGAINST SEX OFFENDERS.

Chair Keohokalole 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.¹

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.

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

Testimony of the Board of Physical Therapy

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Conference Room 229 and Via Videoconference**

**On the following measure:
S.B. 1373, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX
OFFENDERS**

Chair Keohokalole 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.

Testimony of the Hawaii Board of Psychology

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B. 1373, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX
OFFENDERS**

Chair Keohokalole 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
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Room 229 and Videoconference**

**On the following measure:
S.B. 1373, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX
OFFENDERS**

Chair Keohokalole 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.

LATE

Testimony of the Board of Dentistry

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B.1373, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX
OFFENDERS**

Chair Keohokalole 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 Board of Massage Therapy

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B.1373, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX
OFFENDERS**

Chair Keohokalole 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.

LATE

Testimony of the Hawaii Board of Chiropractic

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B. 1373, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX
OFFENDERS**

Chair Keohokalole 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 administration bill.

LATE

Testimony of the Board of Nursing

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B. 1373 RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX
OFFENDERS**

Chair Keohokalole 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.

LATE

Testimony of the Hawaii Board of Barbering and Cosmetology

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B. 1373, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX
OFFENDERS**

Chair Keohokalole and Members of the Committee:

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.

LATE

Testimony of the Hawaii Board of Optometry

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B. 1373, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX
OFFENDERS**

Chair Keohokalole 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. For the Committee's information, 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.

LATE

Testimony of the Board of Acupuncture

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B. 1373, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX
OFFENDERS**

Chair Keohokalole 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.

LATE

Testimony of the Hawaii Medical Board

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.
Conference Room 229 and Videoconference**

**On the following measure:
S.B. 1373, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX
OFFENDERS**

Chair Keohokalole 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 Hawaii Revised Statutes (HRS) chapter 453 section 12 and HRS chapter 463E 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 a more expeditious removal of these individuals from practice than current laws allow.

Thank you for the opportunity to testify on this bill.

LATE

Testimony of the Hawaii Board of Speech Pathology & Audiology

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 4, 2025
9:35 a.m.**

LATE

Conference Room 229 and Via Videoconference

On the following measure:

S.B. 1373, RELATING TO ADMINISTRATIVE LICENSURE ACTIONS AGAINST SEX OFFENDERS

Chair Keohokalole 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.

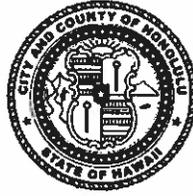
The purpose of this bill is to authorize the Department of Commerce and Consumer Affairs and certain licensing boards to automatically revoke and refuse to renew, restore, or reinstate the professional licenses of registered sex offenders.

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.

LATE

HONOLULU POLICE DEPARTMENT
KA 'OIHANA MĀKA'I O HONOLULU
CITY AND COUNTY OF HONOLULU
801 SOUTH BERETANIA STREET • HONOLULU, HAWAI'I 96813
TELEPHONE: (808) 529-3111 • WEBSITE: www.honoluluupd.org



RICK BLANGIARDI
MAYOR
MEIA

ARTHUR J. LOGAN
CHIEF
KAHU MĀKA'I

KEITH K. HORIKAWA
RADE K. VANIC
DEPUTY CHIEFS
HOPE LUNA NUI MĀKA'I

OUR REFERENCE **CL-DNK**

February 4, 2025

The Honorable Jarrett Keohokalole, Chair
and Members
Committee on Commerce
and Consumer Protection
State Senate
415 South Beretania Street, Room 229
Honolulu, Hawai'i 96813

Dear Chair Keohokalole and Members:

**SUBJECT: Senate Bill No. 1373, 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 Senate Bill No. 1373, 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 The Honorable Jarrett Keohokalole, Chair
and Members
February 4, 2025
Page 2

The HPD supports this bill due to recognizing the importance of being able to protect the public from registered sex offenders, who are operating in professions that the public tends to entrust with their physical safety.

Thank you for the opportunity to testify.

Sincerely,



Carlene Lau, Acting Major
Records and Identification Division

APPROVED:



~~2025~~ Arthur J. Logan
Chief of Police



January 31, 2025

The Honorable Senator Jarrett Keohokalole and members of the committee:

I write to offer testimony in support of SB 1373 (Senator Kouchi), which would prevent registered sex offenders from holding professional medical licenses. All patients, and especially survivors of sexual assault, deserve to know that their healthcare provider has not been convicted of a sex crime. We urge you to support this legislation.

As you may be aware, RAINN is the nation's largest anti-sexual assault organization. Founded in 1994, RAINN created and operates the National Sexual Assault Hotline (800.656.HOPE and hotline.rainn.org). RAINN also carries out programs to support victims, educate the public, and improve public policy.

Crimes of sexual violence are already severely underreported, and reports of physician-perpetrated sexual assaults are even more rare, with less than 1-in-10 victims filing a complaint.¹ Physician-perpetrated sex abuse is a crime based on trust where the doctor is often alone with the patient (85.1% of the time), and the abuse occurs repeatedly (96% of the cases).² One study reported that approximately 10% of medical professionals had sexual contact with at least one patient.³ Because of the power dynamic at play in the medical environment, patients cannot give consent to sexual conduct.

Survivors rely on a relationship of trust and transparency with their medical providers. Someone convicted and required to register as a sex offender should not be allowed in a position of intimate trust. Without the authorization to automatically revoke or deny renewal of licenses, registered sex offenders may continue to see patients and put them at risk. SB 1373 creates this authorization, allowing for the automatic revocation and denial of a license for licensed medical professionals when the licensee is a registered sex offender. We particularly commend the legislation for ensuring that no license renewal will occur if the offense involved a patient or client. Such a commonsense measure would improve transparency in the medical profession and protect patients from perpetrators of sexual misconduct and abuse.

¹ James Dubois, et al. "Sexual Violation of Patients by Physicians: A Mixed-Methods, Exploratory Analysis of 101 Cases." *Sexual Abuse*. Vol. 31(5). 2019. P. 503-523. Available at: <https://journals.sagepub.com/doi/full/10.1177/1079063217712217>.

² *Id.*

³ Gartrell NK, Milliken N, Goodson WH 3rd, Thiemann S, Lo B. Physician-patient sexual contact. Prevalence and problems. *West J Med*. 1992 Aug;157(2):139-43. PMID: 1441462; PMCID: PMC1011231.
; Marisalva Fávero, et al. "Sexual Violence Perpetrated by Health Professionals." *Frontiers in Psychology*, vol. 13, 3 Apr. 2023, <https://doi.org/10.3389/fpsyg.2022.1005696>.

RAINN

We urge you to support this bill. Thank you for your continued leadership and for supporting victims of sexual violence in New York.

LATE

**HAWAI'I
PACIFIC
HEALTH**

KAPI'OLANI
THE SEX ABUSE
TREATMENT CENTER



Date: January 31, 2025

To : Senator Jarrett Keohokalole, Chair

Senator Carol Fukunaga, Vice-Chair

Members of the Senate Committee on Commerce and Consumer Protection

From: Lynn Costales Matsuoka, Executive Director

Sofia Matias, Policy Specialist

The Sex Abuse Treatment Center

A Program of Kapi'olani Medical Center for Women & Children

RE: Testimony on SB1373

Relating to Administrative Licensure Actions Against Sex Offenders

Hearing: February 4, 2025 at 9:35 am, Room 229

Good Morning Chair Keohokalole, Vice Chair Fukunaga, and Members of the Committee.

The Sex Abuse Treatment Center (SATC) supports SB1373, which authorizes 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. This measure ensures consumer safety by establishing guidelines, prevent further harm, and reinforce public accountability. It is a critical step in safeguarding the public and allowing for sexual violence survivors to rely on professionals where licensure is mandated in their practice.

Thank you for your consideration.