# A BILL FOR AN ACT

RELATING TO OCCUPATIONAL THERAPY PRACTICE.

#### BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

- 1 SECTION 1. The legislature finds that occupational
- 2 therapists treat patients with injuries, illnesses, or
- 3 disabilities through the therapeutic use of everyday life
- 4 activities. Occupational therapy assistants assist occupational
- 5 therapists in providing occupational therapy.
- 6 Although the regulation of occupational therapy practice is
- 7 codified in chapter 457G, Hawaii Revised Statutes, the law is
- 8 incomplete in relation to certain aspects of the profession, and
- 9 does not require the licensure of occupational therapists or
- 10 occupational therapy assistants. The legislature notes that
- 11 Hawaii is the last state in the country to license occupational
- 12 therapists and one of the last three states to license
- 13 occupational therapy assistants.
- 14 The legislature further finds that occupational therapists
- 15 and occupational therapy assistants should be licensed in Hawaii
- 16 to protect public health, safety, and the welfare of the
- 17 patients served by occupational therapists and occupational
- therapy assistants. Requiring the licensure of occupational 2014-2305 SB2472 CD1 SMA.doc



- 1 therapists and occupational therapy assistants will ensure that
- 2 qualified occupational therapists and occupational therapy
- 3 assistants provide occupational therapy services in Hawaii and
- 4 will enable insurers to meet payer requirements, as some
- 5 insurers require occupational therapy to be provided by licensed
- 6 individuals.
- 7 The purpose of this Act is to improve the regulation of
- 8 occupational therapists and occupational therapy assistants by
- 9 establishing an occupational therapy program and licensing
- 10 requirements for occupational therapists and occupational
- 11 therapy assistants, including provisions relating to the
- 12 qualifications, licensure practice of occupational therapy,
- 13 supervision of occupational therapy assistants, exemptions,
- 14 powers and duties of the director of commerce and consumer
- 15 affairs, licensure renewal, restoration, penalty, and revocation
- 16 or suspension of licenses.
- 17 Accordingly, this Act provides that, effective with the
- 18 renewal period beginning December 31, 2014, each occupational
- 19 therapist registration shall be converted to an occupational
- 20 therapist license. To effectuate a seamless conversion, current
- 21 occupational therapist registrants will be grandfathered and
- 22 issued an occupational therapist license upon renewal.

1	In addition, the Act provides that, effective January 1,
2	2017, except as otherwise provided, no person shall practice as
3	an occupational therapy assistant or represent the person's self
4	as being able to practice as an occupational therapy assistant
5	in the State without possessing a valid license issued by the
6	director of commerce and consumer affairs in accordance with
7	this Act.
8	SECTION 2. Chapter 457G, Hawaii Revised Statutes, is
9	amended by adding eight new sections to be appropriately
10	designated and to read as follows:
11	"§457G-A Occupational therapy program. There is
12	established an occupational therapy program within the
13	department to be administered by the director.
14	§457G-B Powers and duties of the director. In addition to
15	any other powers and duties authorized by law, the director
16	shall have the powers and duties to:
17	(1) Grant, deny, renew, refuse to renew, restore,
18	terminate, reinstate, condition, restrict, suspend, or
19	revoke a license issued pursuant to this chapter;
20	(2) Grant permission to a person to practice occupational
21	therapy and to use the title of "licensed occupational

1		therapist" or a description indicating that the person
2		is a licensed occupational therapist in this State;
3	(3)	Grant permission to a person to practice as an
4		occupational therapy assistant and to use the title
5		"licensed occupational therapy assistant" or a
6		description indicating that the person is a licensed
7		occupational therapy assistant in this State;
8	(4)	Adopt, amend, or repeal rules pursuant to chapter 91
9		as the director finds necessary to carry out the
10		purposes of this chapter;
11	(5)	Administer, coordinate, and enforce this chapter;
12	(6)	Discipline a licensed occupational therapist or
13		licensed occupational therapy assistant on grounds
14		specified by this chapter or chapter 436B or for any
15		violation of rules adopted by the director pursuant to
16		this chapter;
17	(7)	Refuse to license a person for failure to meet the
18		licensing requirements in this chapter or for any
19		reason specified by this chapter as grounds to
20		discipline an occupational therapist or occupational
21		therapy assistant; and

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1	(8) Appoint an advisory committee composed of practicing
2	occupational therapists and occupational therapy
3	assistants to assist with the implementation of this
4	chapter.
5	§457G-C Qualifications of occupational therapy assistants.
6	(a) Effective January 1, 2017, occupational therapy assistants
7	shall be licensed pursuant to this chapter.
8	(b) To qualify for licensure in this state, occupational
9	therapy assistants shall have completed the educational
10	requirements and supervised field work required for
11	certification by the National Board for Certification in
12	Occupational Therapy and shall have passed a national
13	certification examination administered by the National Board for
14	Certification in Occupational Therapy.
15	(c) In the case of foreign-trained persons, the applicant
16	for an occupational therapy assistant license shall have
17	completed the National Board for Certification in Occupational
18	Therapy eligibility determination process for occupational
19	therapy assistants and shall have passed a national
20	certification examination administered by the National Board for
21	Certification in Occupational Therapy.

1	<u>§457</u>	G-D Supervision of occupational therapy assistants;
2	partnersh	ip with occupational therapists. (a) An occupational
3	therapy a	ssistant may practice occupational therapy only under
4	the super	vision of, and in partnership with, an occupational
5	therapist	who is licensed to practice occupational therapy in
6	the State	. The occupational therapist shall be responsible for
7	<u>occupatio</u>	nal therapy evaluation, appropriate reassessment,
8	treatment	planning, interventions, and discharge from
9	occupatio	nal therapy based on standard professional guidelines.
10	The super	vising occupational therapist and the supervised
11 .	occupatio	nal therapy assistant shall have legal and ethical
12	responsib	ility for ongoing management of supervision, including
13	providing	, requesting, giving, or obtaining supervision.
14	(b)	The supervising occupational therapist shall:
15	(1)	Determine the frequency, level, and nature of
16		supervision with input from the occupational therapy
17		assistant; and
18	(2)	Base the supervision determination on a variety of
19		factors, including the clients' required level of
20		care, treatment plan, and experience and pertinent
21		skills of the occupational therapy assistant.

1	(c) The supervising occupational therapist shall supervise
2	the occupational therapy assistant to ensure that the
3	occupational therapy assistant:
4	(1) Does not initiate or alter a treatment program without
5	prior evaluation by and approval of the supervising
6	occupational therapist;
7	(2) Obtains prior approval of the supervising occupational
8	therapist before making adjustments to a specific
9	treatment procedure; and
10	(3) Does not interpret data beyond the scope of the
11	occupational therapy assistant's education and
12	training.
13	§457G-E Exemptions. (a) Nothing in this chapter shall be
14	construed to prohibit any person from acting within the scope of
15	a license issued to that person under any other law; provided
16	that the person shall not claim to be an occupational therapist
17	or occupational therapy assistant, or claim to be performing
18	occupational therapy, unless the person is also licensed under
19	this chapter.
20	(b) Nothing in this chapter shall be construed to prohibit
21	students in an educational program for occupational therapists
22	or occupational therapy assistants from participating in
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- activities that are conducted as part of the educational program 1
- 2 and are under the guidance and supervision of a licensed
- 3 occupational therapist.
- 4 (c) Nothing in this chapter shall be construed to prohibit
- 5 a person licensed as an occupational therapist in another state
- or foreign country from practicing occupational therapy in this 6
- 7 State if the person is part of an educational demonstration or
- 8 instructional program or seminar sponsored by an educational
- 9 institution, hospital, medical care program, the Occupational
- 10 Therapy Association of Hawaii, or any other similar person or
- 11 group, for the duration of the program or seminar and confined
- 12 to the purpose of the program or seminar.
- 13 (d) Nothing in this chapter shall be construed to prohibit
- 14 an occupational therapist who is practicing in the United States
- armed services, United States Public Health Service, or 15
- 16 Department of Veterans Affairs pursuant to federal regulations
- 17 for state licensure of health care providers from practicing as
- 18 an occupational therapist; provided that if the person, while
- 19 federally employed as an occupational therapist, engages in the
- 20 practice of occupational therapy outside the course and scope of
- the person's federal employment, the person shall be required to 21
- 22 obtain a license in accordance with this chapter.



#### §457G-F Biennial renewal; failure to renew; restoration, 1 inactive license; conversion from registration. (a) The 2 biennial renewal fee shall be paid to the department on or 3 before December 31 of each even-numbered year. Failure, 4 neglect, or refusal of any licensee to pay the biennial renewal 5 fee on or before this date shall constitute a forfeiture of the 6 license. A forfeited license may be restored upon written 7 application within one year from the date of forfeiture and the 8 payment of the delinquent fee plus an amount equal to fifty per 9 **10** cent of the delinquent fee. (b) Upon written application by the licensee, the director 11 may place the licensee's active license on inactive status. 12 During the inactive period, a licensee shall not engage in the 13 14 practice of occupational therapy. The license may be reactivated at any time by the licensee by submitting a written 15 application to the director and payment of the renewal and any 16 other applicable fees. A licensee's inactive status shall not 17 deprive the director of the director's authority to institute or 18 continue any disciplinary or enforcement action against the 19 20 licensee. (c) Effective with the December 31, 2014, renewal period, 21

each active occupational therapist registration shall be
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1	converted	to an active occupational therapist license by
2	operation	of law. The conversion from registration to licensure
3	shall not	<u>:</u>
4	(1)	Affect any prior discipline, limitation, or condition
5		imposed by the director on an occupational therapist's
6		registration;
7	(2)	Limit the director's authority over any registrant; or
8	(3)	Affect any pending investigation or administrative
9		proceeding.
10	(d)	Effective January 1, 2015, the director shall treat
11	any appli	cation pending for an occupational therapist
12	registrat	ion as an application for licensure, and the
13	application	on shall be subject to the requirements established by
14	the direc	tor in accordance with this chapter.
15	<u>§457</u>	G-G License revocation or suspension; reinstatement;
16	probation	. (a) In addition to any other actions authorized by
17	law, any	license issued under this chapter may be revoked or
18	suspended	by the director at any time for any cause authorized
19	by law, i	ncluding but not limited to the following:
20	(1)	Obtaining a fee on the assurance that a manifestly
21		incurable disease can be permanently cured;
22	(2)	Wilfully betraying patient confidentiality;

1	(3)	Making an untruthful and improbable statement in
2		advertising one's practice or business;
3	(4)	False, fraudulent, or deceptive advertising;
4	(5)	Being habituated to the excessive use of drugs or
5		alcohol or being or having been addicted to, dependent
6		on, or a habitual user of a narcotic, barbiturate,
7		amphetamine, hallucinogen, or other drug having
8		similar effects;
9	(6)	Practicing occupational therapy while the ability to
10		practice is impaired by alcohol, drugs, or mental
11		<pre>instability;</pre>
12	(7)	Procuring a license through fraud, misrepresentation,
13		or deceit, or knowingly permitting an unlicensed
14		person to practice occupational therapy;
15	(8)	Professional misconduct, gross negligence, or manifest
16		incapacity in the practice of occupational therapy;
17	(9)	Conduct or practice contrary to recognized standards
18		of ethics for the practice of occupational therapy in
19		the United States; or
20	(10)	Violation of this chapter, chapter 436B, or any rule
21		or order of the director.

- 1 (b) To reinstate a suspended license, or to grant
- 2 licensure to an applicant whose license was previously revoked,
- 3 the director may require further education or training or
- 4 require proof of competence in performance.
- 5 (c) In lieu of revoking or suspending a license, the
- 6 director may place the licensee on probation, the terms of which
- 7 may require observation of the licensee by a licensed
- 8 occupational therapist.
- 9 (d) Any licensee or applicant who violates this section
- 10 may be fined not more than \$1,000 per violation in addition to
- 11 any other fine or fee imposed.
- 12 §457G-H License required. (a) Except as specifically
- 13 provided in this chapter, no person shall engage in the practice
- 14 of occupational therapy or use the title "licensed occupational
- 15 therapist" or "occupational therapist" without a valid license
- 16 to practice occupational therapy issued pursuant to this
- 17 chapter.
- 18 (b) Except as specifically provided in this chapter, no
- 19 person shall engage in the practice of occupational therapy as
- 20 an occupational therapist assistant or use the title "licensed
- 21 occupational therapist assistant" or "occupational therapist
- 22 assistant" unless:



1	(1)	The practice is performed under the supervision of and
2		in partnership with a person who is an occupational
3		therapist licensed to practice occupational therapy in
4		the State; and
5	(2)	The person possesses a valid license issued pursuant
6		to this chapter to practice occupational therapy as an
7		occupational therapy assistant.
8	(c)	Any person who violates this section shall be subject
9	to a fine	of not more than \$1,000 per violation."
10	SECT	TON 3. Section 457G-1, Hawaii Revised Statutes, is
11	amended a	s follows:
12	1.	By adding three new definitions to be appropriately
13	inserted	and to read:
14	" <u>"</u> Fo	reign-trained person" means a person who has completed
15	an educat	ional program or course of study in occupational
16	therapy i	n an institution located outside the United States.
17	<u>"0cc</u>	upational therapist" means a person who engages in the
18	practice	of occupational therapy in this State.
19	"Occ	upational therapy assistant" means a person who engages
20	in the pr	actice of occupational therapy under the supervision of
21	and in pa	rtnership with an occupational therapist."

1	2.	By repealing the definition of "occupational therapy				
2	services"					
3	[" <del>"Occupational therapy services" include:</del>					
4	<del>(1)</del>	The assessment of needs and provision of treatment in				
5		consultation with the individual, family, or other				
6		appropriate persons;				
7	(2)	Interventions directed toward developing, improving,				
8	•	ascertaining, enhancing, or restoring:				
9		(A) Daily living skills, including self-care skills				
10		and activities that involve interactions with				
11		others and the environment, work readiness or				
12		work performance, play skills or leisure				
13		capacities, or educational performance skills; or				
14		(B) Sensorimotor, oral motor, perceptual, or				
15		neuromuscular functioning; or emotional,				
16		motivational, cognitive, or psychosocial				
17		components of performance;				
18	<del>(3<sup>°</sup>)</del>	The education of the individual, family, or other				
19		appropriate persons in carrying out appropriate				
20		interventions;				
21	(4)	Design, development, adaptation, application, or				
22		training in the use of:				



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2		<del>(B)</del> 1	<del>Rehabilitative</del>	technology (	ouch as orthoti	<del>c or</del>
3		1	<del>prosthetic dev</del>	<del>ices;</del>		
4	<del>(5)</del>	The a	pplication of p	physical age	nt modalities a	<del>ıs an</del>
5		adjun	et to, or in p	reparation fo	or, purposeful	
6		activ	<del>ity;</del>			
7	<del>(6)</del>	The a	pplication of	ergonomic pr	inciples, and t	<del>:he</del>
8		adapta	ation of envir	onments and	processes to en	<del>ihance</del>
9		funct	ional performa	nce; and		
10	<del>(7)</del>	The p	<del>romotion of he</del>	alth and wel	lness."]	
11	SECT	ION 4.	Section 457G	-1.5, Hawaii	Revised Status	tes, is
12	amended t	o read	as follows:			
13	"§ <b>45</b>	7G-1.5	Practice of	occupational	therapy[ $\dot{ au}$	
14	qualifica	tions;	registration]	. (a) [ <del>No </del>	<del>person shall r</del>	<del>epresent,</del>
15	advertise	, or a	nnounce onesel	f, cither pu	blicly or priv	ately, as
16	<del>an occupa</del>	tional	therapist, no	<del>r use, in co</del>	nnection with	the
17	<del>person's</del>	name o	r-place of bus	iness, the w	e <del>rds "occupati</del>	<del>onal</del>
18	therapist	", "ce	rtified occupa	<del>tional thera</del>	<del>pist", "occupa</del>	tional
19	therapist	regis	tered", or the	letters "OT	", "COT", or "	OTR", or
20	any other	words	, letters, abb	reviations,	<del>or insignia in</del>	<del>dicating</del>
21	or implyi	<del>ng tha</del>	t such person	<del>is an occupa</del>	<del>tional therapi</del>	<del>st unless</del>
22	such pers	<del>on reg</del>	<del>isters the per</del>	son's name a	nd-business-ad	<del>dress</del>
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1	biennially with the department of commerce and consumer affairs
2	in a manner established by rules adopted pursuant to chapter 91,
3	and meets the qualifications of section 457G-2.
4	(b) The department shall maintain and biennially update a
5	list of the names and business addresses of the occupational
6	therapists who are registered under subsection (a).
7	(c) Nothing in this chapter shall be construed to prohibit
8	a registered occupational therapist from utilizing occupational
9	therapy support personnel to assist in the practice of
10	occupational therapy; provided that the occupational therapy
11	support personnel shall work under the supervision of or in
12	consultation with the registered occupational therapist.
13	"Occupational therapy-support personnel" includes a person
14	certified by the National Board for Certification in
15	Occupational Therapy, and who uses the title "occupational
16	therapy assistant" or "certified occupational therapy
17	assistant", the letters "COTA" or "OTA", or any other titles,
18	letters, abbreviations, or insignia indicating or implying that
19	the person is an occupational therapy assistant.
20	(d) A registration granted under this chapter shall mean
21	that the person has met requirements that include minimum
22	practice standards to provide protection to the public and is



1	<del>permitted to use the title and engage in the practice as an</del>
2	occupational therapist. In the granting of permission to engage
3	in this profession, and consistent with section 436B-2, the
4	definition for "license" is inclusive of a registration issued
5	under this chapter and, as such, an occupational therapist that
6	holds a registration shall be similarly regarded as an
7	occupational therapist that holds a license. The practice of
8	occupational therapy is the therapeutic use of everyday life
9	activities with individuals or groups for the purpose of
10	participation in roles and situations in home, school,
11	workplace, community, and other settings. It includes:
12	(1) Evaluation of factors affecting activities of daily
13	living, instrumental activities of daily living, rest
14	and sleep, education, work, play, leisure, and social
15	participation, including:
16	(A) Client factors, including body functions, such as
17	neuromusculoskeletal, sensory-perceptual, visual,
18	mental, cognitive, and pain factors; body
19	structures, such as cardiovascular, digestive,
20	nervous, integumentary, genitourinary systems,
21	and structures related to movement, values,
22	beliefs, and spirituality;

1		<u>(B)</u>	Habits, routines, roles, rituals, and behavior
2			patterns;
3		<u>(C)</u>	Occupational and social environments, cultural,
4			personal, temporal, and virtual contexts and
5			activity demands that affect performance; and
6		<u>(D)</u>	Performance skills, including motor and praxis,
7			sensory-perceptual, emotional regulation,
8			cognitive, communication, and social skills;
9	(2)	Meth	ods or approaches selected to direct the process
10		of i	nterventions, including:
11		(A)	Establishment, remediation, or restoration of a
12			skill or ability that has not yet developed, is
13			impaired, or is in decline;
14		(B)	Compensation, modification, or adaptation of
15			activity or environment to enhance performance or
16			prevent injuries, disorders, or other conditions;
17		<u>(C)</u>	Retention and enhancement of skills or abilities
18			without which performance in everyday life
19			activities would decline;
20		(D)	Promotion of health and wellness, including the
21		•	use of self-management strategies, to enable or

. 1			enhance performance in everyday life activities;
2			and
3		<u>(E)</u>	Prevention of barriers to performance and
4			participation, including injury and disability
5			prevention; and
6	(3)	Inte	rventions and procedures to promote or enhance
7		safe	ty and performance in activities of daily living,
8		inst	rumental activities of daily living, rest and
9		slee	p, education, work, play, leisure, and social
10		part	icipation, including:
11	•	<u>(A)</u>	Therapeutic use of occupations, exercises, and
12			activities;
13		<u>(B)</u>	Training in self-care, self-management, health
14			management and maintenance, home management,
15			community reintegration, work reintegration,
16			school activities, and work performance;
17		<u>(C)</u>	Development, remediation, or compensation of
18			neuromusculoskeletal, sensory-perceptual, visual,
19			mental, and cognitive functions; pain tolerance
20			and management; and behavioral skills;

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1	(D)	Therapeutic use of self, including one's
2		personality, insights, perceptions, and
3		judgments, as part of the therapeutic process;
4	(E)	Education and training of individuals, including
5		family members, caregivers, groups, populations,
6		and others;
7	<u>(</u> F)	Care coordination, case management, and
8		transition services;
9	<u>(G)</u>	Consultative services to groups, programs,
10		organizations, or communities;
11	(H)	Modification of environments, such as home, work,
12		school, or community, and adaptation of
13		processes, including the application of ergonomic
14		principles;
15	<u>(I)</u>	Assessment, design, fabrication, application,
16		fitting, and training in seating and positioning;
17		assistive technology; adaptive devices; orthotic
18		devices; and training in the use of prosthetic
19		devices;
20	<u>(</u> J	Assessment, recommendation, and training in
21		techniques to enhance functional mobility,

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1			including management of wheelchairs and other
2			mobility devices;
3		<u>(K)</u>	Low vision rehabilitation;
4		<u>(L)</u>	Driver rehabilitation and community mobility;
5		(M)	Management of feeding, eating, and swallowing to
6			enable eating and feeding performance;
7		<u>(N)</u>	Application of physical agent modalities and use
8			of a range of specific therapeutic procedures,
9			such as wound care management, interventions to
10			enhance sensory-perceptual and cognitive
11			processing, and manual therapy, to enhance
12			performance skills; and
13		<u>(0)</u>	Facilitating the occupational performance of
14			groups, populations, or organizations through the
15			modification of environments and the adaptation
16			of processes.
17	(b)	Ио р	erson shall engage in the practice of occupational
18	therapy g	ratui	tously or for pay, offer to practice occupational
19	therapy,	offer	occupational therapy, or represent, advertise, or
20	announce,	eit <u>h</u>	er publicly or privately, that the person is an
21	occupatio	nal t	herapist, unless the person is appropriately
22	licensed	under	this chapter.
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1	<u>(c)</u>	No person shall use, in connection with the person's
2	name or b	usiness, the words "occupational therapist licensed",
3	"register	ed occupational therapist", "licensed occupational
4	therapist	", "occupational therapist", or "doctor of occupational
5	therapy",	or the letters "OT", "OTR", "OTD", "OT/L", "OTR/L", or
6	"OTD/L",	or any other words, letters, abbreviations, or insignia
7	indicatin	g or implying that the person is an occupational
8	therapist	unless the person is appropriately licensed as an
9	occupatio	nal therapist under this chapter.
10	(d)	Effective January 1, 2017, except as otherwise
11	provided	in this chapter, no person shall engage in the practice
12	of occupa	tional therapy or represent the person's self as able
13	to practi	ce as an occupational therapy assistant in the State
14	unless:	
15	(1)	The practice is done under the supervision of and in
16		partnership with an occupational therapist who is
17		licensed to practice occupational therapy in the
18		State; and
19	(2)	The person possesses a valid license issued pursuant
20		to this chapter to practice occupational therapy as an
21		occupational therapy assistant.

1	(e) No person shall use the title "occupational therapy
2	assistant licensed", "licensed occupational therapy assistant",
3	the letters "OTA/L" or "COTA/L", or any other words, letters,
4	abbreviations, or insignia indicating or implying that the
5	person is an occupational therapy assistant unless that person
6	is appropriately licensed as an occupational therapy assistant
7	under this chapter."
8	SECTION 5. Section 457G-2, Hawaii Revised Statutes, is
9	amended to read as follows:
10	"§457G-2 Qualifications of occupational therapists. (a)
11	[Occupational] To qualify for licensure in this state,
12	occupational therapists shall have completed the educational
13	requirements and supervised field work experience required for
14	certification by the National Board for Certification in
15	Occupational Therapy $[ au]$ and shall have passed a national
16	certification examination administered by that association.
17	(b) In the case of foreign-trained persons, the applicant
18	for an occupational therapy license shall have completed the
19	National Board for Certification in Occupational Therapy
20	eligibility determination process for occupational therapists
21	and shall have passed a national certification examination

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    administered by the National Board for Certification in
2
    Occupational Therapy."
3
         SECTION 6. Section 457G-3, Hawaii Revised Statutes, is
    repealed.
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          ["[$457G-3] Injunction. The attorney general or the
5
6
    director of the office of consumer protection may bring
7
    proceedings to enjoin any violation of this chapter."]
8
         SECTION 7. Section 457G-4, Hawaii Revised Statutes, is
9
    repealed.
10
          ["[$457G-4] Civil penalty. Any person violating any
11
    provisions of this chapter shall be fined a sum of not less than
12
    $500 nor more than $10,000 for each violation, which sum shall
13
    be collected in a civil action brought by the attorney general
14
    or the director of the office of consumer protection on behalf
15
    of the State."]
         SECTION 8. There is appropriated out of the compliance
16
17
    resolution fund established pursuant to section 26-9(o), Hawaii
18
    Revised Statutes, the sum of $70,000 or so much thereof as may
19
    be necessary for fiscal year 2014-2015 to implement an
20
    occupational therapy licensure program, including hiring of
21
    necessary personnel to assist with the implementation and
22
    continuing functions of chapter 457G, Hawaii Revised Statutes,
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- 1 as well as covering operating expenditures such as office
- 2 supplies, postage, and other current expenses to carry out and
- 3 maintain the new regulatory area within the purview of the
- 4 director of commerce and consumer affairs; provided that the
- 5 department of commerce and consumer affairs may employ necessary
- 6 personnel without regard to chapter 76, Hawaii Revised Statutes.
- 7 The sum appropriated shall be expended by the department of
- 8 commerce and consumer affairs for the purposes of this Act.
- 9 SECTION 9. Upon issuance of a new license and at each
- 10 license renewal period, each licensee shall be assessed a
- 11 surcharge of \$100 in addition to the other licensing fees. This
- 12 surcharge shall cease once the amount collected from the
- 13 surcharge imposed pursuant to this section is equal to the
- 14 amount of the appropriation in section 8 of this Act.
- 15 SECTION 10. In codifying the new sections added by section
- 16 2 of this Act, the revisor of statutes shall substitute
- 17 appropriate section numbers for the letters used in designating
- 18 the new sections in this Act.
- 19 SECTION 11. Statutory material to be repealed is bracketed
- 20 and stricken. New statutory material is underscored.
- 21 SECTION 12. This Act shall take effect upon its approval;
- 22 provided that section 8 shall take effect on July 1, 2014.

S.B. NO. 2472 S.D. 2 H.D. 3 C.D. 1

#### Report Title:

Occupational Therapy; Occupational Therapists; Occupational Therapy Assistants; Regulation; Licensing; Appropriation

#### Description:

Improves the regulation of occupational therapists and occupational therapy assistants by establishing an occupational therapy program and licensing requirements for occupational therapists and occupational therapy assistants. Makes an appropriation out of the compliance resolution fund to implement an occupational therapy licensure program. (CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.