



1 "Applicant" means an applicant for a license under this  
2 chapter.

3 "Board" means the board of gerontology.

4 "Department" means the department of commerce and consumer  
5 affairs.

6 "Director" means the director of commerce and consumer  
7 affairs.

8 "Gerontologist" or "licensed gerontologist" means a person  
9 who is licensed in the practice of gerontology pursuant to this  
10 chapter.

11 "Practice of gerontology" means the study of aging and  
12 older adults.

13 § -2 **Licensure required.** Except as otherwise provided by  
14 law, a person who practices, offers to practice, or advertises  
15 the practice of gerontology in the State either gratuitously or  
16 for pay shall be required to have a valid license issued by the  
17 board.

18 § -3 **Exemptions.** Licensure shall not be required of:

- 19 (1) Any licensed person doing work within the scope of  
20 practice or duties of the person's profession that  
21 overlaps with the practice of gerontology; provided



1           that the person does not purport to be a  
2           gerontologist;

3           (2) Any person employed by a federal, state, or county  
4           government agency in a gerontologist position, but  
5           only at those times when that person is carrying out  
6           the duties and responsibilities as a gerontologist in  
7           governmental employment;

8           (3) Any student enrolled in an accredited educational  
9           institution in a recognized program of study leading  
10          toward attainment of a degree in gerontology; provided  
11          that the student's activities and services are part of  
12          a prescribed course of study supervised by the  
13          educational institution, and the student is identified  
14          by an appropriate title such as "gerontology student",  
15          "gerontology intern", or any other title that clearly  
16          indicates the student's training status;

17          (4) Any person who is a member of a mental health  
18          profession not requiring licensure; provided that the  
19          person functions only within the person's professional  
20          capacities; provided further that the person does not  
21          purport to be a gerontologist;



1           (5) Any person teaching, lecturing, consulting, or  
2           engaging in research in gerontology insofar as the  
3           activities are performed as part of or are dependent  
4           upon enrollment in a college or university; provided  
5           that the person shall not engage in the practice of  
6           gerontology outside the responsibilities of the  
7           person's employment; and

8           (6) Any person who is a duly recognized member of the  
9           clergy; provided that the person functions only within  
10          the person's capacities as a member of the clergy;  
11          provided further that the person does not purport to  
12          be a gerontologist.

13          §   -4 **Examination by the board.** In order to be licensed  
14          in the practice of gerontology under this chapter, an applicant  
15          shall pass an examination and have the necessary qualifications  
16          as prescribed by this chapter and by rules adopted by the board.

17          §   -5 **Board of gerontology.** There shall be a board of  
18          gerontology, which shall consist of five members appointed by  
19          the governor pursuant to section 26-34 from a list of nominees  
20          selected jointly by the President of the Senate and Speaker of  
21          the House of Representatives. Of the nominees, three shall be



1 educators in the field of gerontology, and two shall be licensed  
2 gerontologists; provided that for the initial appointment,  
3 gerontology practitioners may be nominated to the board in lieu  
4 of gerontologists licensed pursuant to this chapter. For the  
5 initial appointment of members, one shall be appointed for a  
6 term of two years, two shall be appointed for a term of three  
7 years, and two shall be appointed for a term of four years.

8       § -6 **Powers and duties of the board.** In addition to any  
9 powers and duties authorized by law, the board shall:

- 10       (1) Develop standards for licensure;
- 11       (2) Define the scope of practice;
- 12       (3) Adopt, amend, or repeal rules in accordance with  
13             chapter 91 to carry out the purposes of this chapter,  
14             including a code of ethics;
- 15       (4) Establish exam qualification requirements, adapted  
16             appropriately from already established procedures,  
17             requirements, and protocol, such as those of the  
18             National Association for Professional Gerontologists;
- 19       (5) Prepare, administer, and grade examinations; provided  
20             that the board may contract with a testing agency to  
21             provide those services;



- 1           (6) Examine and approve the qualifications of all
- 2           applicants under this chapter and issue or renew a
- 3           license to each successful applicant granting
- 4           permission to use the title of "licensed
- 5           gerontologist" or "gerontologist" in this State
- 6           pursuant to this chapter and the rules adopted
- 7           pursuant to this chapter;
- 8           (7) Maintain a publicly accessible registry of licensees
- 9           licensed pursuant to this chapter;
- 10          (8) Suspend and revoke licenses;
- 11          (9) Discipline a licensed gerontologist for any cause
- 12          described by this chapter or for any violation of the
- 13          rules, and refuse to license a person for failure to
- 14          meet licensure requirements for any cause that would
- 15          be grounds for disciplining a licensed gerontologist;
- 16          (10) Investigate and conduct hearings regarding any
- 17          violation of this chapter and any rules of the board;
- 18          (11) Establish fees and fines necessary to administer this
- 19          chapter;
- 20          (12) Establish paths for the practitioner to be covered by
- 21          malpractice insurance;



- 1 (13) Promote current dialogue and research;
- 2 (14) Maintain a record of its proceedings; and
- 3 (15) Do all things necessary to carry out the functions,
- 4 powers, and duties set forth in this chapter.

5 § -7 **Renewal of license.** (a) Every license issued  
6 under this chapter shall be renewed triennially on or before  
7 June 30, with the first renewal deadline occurring on June 30,  
8 2021. Failure to renew a license shall result in a forfeiture  
9 of the license. Licenses that have been so forfeited may be  
10 restored within one year of the expiration date upon payment of  
11 renewal and penalty fees. Failure to restore a forfeited  
12 license within one year of the date of its expiration shall  
13 result in the automatic termination of the license, and  
14 relicensure may require the person to apply as a new applicant  
15 and satisfy all licensure requirements again.

16 (b) Upon request, the director may grant inactive status  
17 to a person licensed under this chapter.

18 § -8 **Fees; disposition.** (a) Application, examination,  
19 reexamination, license, renewal, late renewal penalty fees,  
20 inactive, and other reasonable and necessary fees relating to  
21 the administration of this chapter, none of which are



1 refundable, shall be as provided in rules adopted by the  
2 director pursuant to chapter 91.

3 (b) Fees assessed shall defray all costs to be incurred by  
4 the director to support the operation of the gerontologist  
5 licensure program.

6 § -9 **Revocation, suspension, denial, or condition of**  
7 **licenses; fines.** In addition to any other acts or conditions  
8 provided by law, the director may refuse to renew, reinstate, or  
9 restore, or may deny, revoke, suspend, fine, or condition in any  
10 manner any license for any one or more of the following acts or  
11 conditions on the part of the applicant or licensed  
12 gerontologist:

13 (1) Conviction by a court of competent jurisdiction of a  
14 crime that the director has determined to be of a  
15 nature that renders the person convicted unfit for the  
16 practice of gerontology;

17 (2) Failure to report in writing to the director any  
18 disciplinary decision related to the practice of  
19 gerontology issued against the licensed gerontologist  
20 or the applicant in any jurisdiction within thirty



- 1 days of the disciplinary decision or within twenty  
2 days of licensure;
- 3 (3) Violation of recognized ethical standards for  
4 gerontologists;
- 5 (4) Use of fraud, deception, or misrepresentation in  
6 obtaining a license;
- 7 (5) Revocation, suspension, or other disciplinary action  
8 by another state, territory, federal agency, or  
9 country against the licensed gerontologist or  
10 applicant for any reason provided under this section;  
11 or
- 12 (6) Other just and sufficient cause that renders a person  
13 unfit for the practice of gerontology.
- 14 § -10 **Prohibited acts; penalties.** (a) No person shall:
- 15 (1) Use in connection with the person's name any  
16 designation tending to imply that the person is a  
17 licensed gerontologist unless the person is duly  
18 licensed and authorized under this chapter; or
- 19 (2) Represent oneself as a licensed gerontologist during  
20 the time the person's license issued under this





# H.B. NO. 431

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JAN 20 2017



# H.B. NO. 431

**Report Title:**

Kupuna Caucus; Gerontologists; Licensure

**Description:**

Establishes requirements for gerontologist licensure beginning on 7/1/2018.

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