



EXECUTIVE CHAMBERS
HONOLULU

DAVID Y. IGE
GOVERNOR

July 10, 2018

GOV. MSG. NO. 1282

The Honorable Ronald D. Kouchi,
President
and Members of the Senate
Twenty-Ninth State Legislature
State Capitol, Room 409
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,
Speaker and Members of the
House of Representatives
Twenty-Ninth State Legislature
State Capitol, Room 431
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 10, 2018, the following bill was signed into law:

SB2258 SD1 HD2 CD1

RELATING TO LICENSING
ACT 173 (18)

Sincerely,

DAVID Y. IGE
Governor, State of Hawai'i

A BILL FOR AN ACT

RELATING TO LICENSING.

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

1 SECTION 1. The legislature finds that under existing law,
2 audiologists must be licensed as an audiologist under chapter
3 468E, Hawaii Revised Statutes, and as a hearing aid dealer and
4 fitter, pursuant to chapter 451A, Hawaii Revised Statutes.

5 However, the legislature notes that an applicant for an
6 audiologist license must meet education, examination, and
7 training requirements that far surpass the licensing
8 requirements for a hearing aid dealer and fitter. The
9 legislature further finds that requiring audiologists to hold
10 dual licensure as an audiologist and a hearing aid dealer and
11 fitter is redundant and burdensome, as audiologist licensing
12 requirements are more stringent than hearing aid dealer and
13 fitter licensing requirements.

14 Accordingly, the purpose of this Act is to:

- 15 (1) Clarify that the licensing requirements for hearing
16 aid dealers and fitters shall not apply to
17 audiologists licensed pursuant to chapter 468E, Hawaii
18 Revised Statutes; and



(2) Clarify that to be eligible for licensure as an audiologist, a person shall not be required to also be licensed as a hearing aid dealer and fitter under chapter 451A, Hawaii Revised Statutes.

SECTION 2. Section 451A-2, Hawaii Revised Statutes, is amended to read as follows:

"§451A-2 License required. ~~It~~ (a) Except as otherwise provided in this chapter, it shall be unlawful for any person not licensed under this chapter to engage in the sale or practice of dealing and fitting of hearing aids or to use any sign, card, or device to indicate that the person is licensed.

(b) Any person wishing to obtain a license or a license by endorsement shall apply on a form prescribed by the director and shall furnish to the director:

(1) Satisfactory proof that the person is a high school graduate; and

(2) Satisfactory proof that the person has fulfilled all of the requirements for a license.

(c) An applicant shall be required to pass a licensing examination."



1 SECTION 3. Section 451A-18, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "§451A-18 Persons and practices not affected. This
4 chapter is not intended to:

5 (1) Prohibit any person from engaging in the practice of
6 measuring human hearing for the purpose of selection
7 of hearing aids; provided that the person or the
8 organization employing the person does not sell
9 hearing aids or accessories;

10 (2) Prohibit a person in maintaining an established
11 business address from engaging in the business of
12 selling or offering for sale hearing aids at retail
13 without a license; provided that it employs persons
14 licensed under this chapter responsible for the
15 fitting and direct sale of such products; [and]

16 (3) Apply to a person who is a physician licensed to
17 practice in Hawaii[-]; or

18 (4) Apply to a person who is licensed as an audiologist
19 pursuant to chapter 468E."

20 SECTION 4. Section 468E-5, Hawaii Revised Statutes, is
21 amended to read as follows:



1 "~~§468E-5~~ Eligibility for licensure. (a) To be eligible
2 for licensure by the board as a speech pathologist or
3 audiologist, a person shall:

4 (1) Possess at least a master's degree or its equivalent
5 in the area of speech pathology or audiology, as the
6 case may be, from an educational institution
7 recognized by the board;

8 (2) Submit to the board evidence of eligibility for
9 meeting the requirements of the American Speech-
10 Language-Hearing Association for the certificate of
11 clinical competence in speech pathology or audiology,
12 or both; and

13 (3) Pass a written examination approved by the board.

14 (b) To be eligible for licensure by the board as an
15 audiologist, a person shall not be required to also be licensed
16 as a hearing aid dealer and fitter under chapter 451A."

17 SECTION 5. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 6. This Act shall take effect upon its approval.

APPROVED this 10 day of JUL, 2018.




GOVERNOR OF THE STATE OF HAWAII

THE SENATE OF THE STATE OF HAWAI'I

Date: May 1, 2018
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the
Senate of the Twenty-ninth Legislature of the State of Hawai'i, Regular Session of 2018.


President of the Senate


Clerk of the Senate

SB No. 2258, SD 1, HD 2, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 1, 2018
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2018.



Scott K. Saiki
Speaker
House of Representatives



Brian L. Takeshita
Chief Clerk
House of Representatives