STAND. COM. REP. NO. 3450

Honolulu, Hawaii

## MAY 1 2 2020

RE: H.B. No. 2322

H.D. 1 S.D. 1

Honorable Ronald D. Kouchi President of the Senate Thirtieth State Legislature Regular Session of 2020 State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred H.B. No. 2322, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO MASSAGE THERAPY,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require the Board of Massage Therapy to adopt and enforce sanitation rules for massage establishments;
- (2) Repeal existing statutory language that classifies unlicensed activity as a petty misdemeanor in favor of a provision that makes unlicensed activity a misdemeanor; and
- (3) Increase the minimum fine from \$100 to \$250 and the maximum find from \$1,000 to \$2,000 for each violation of the massage therapy laws.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association, and IMUAlliance. Your Committee received testimony in opposition to this measure from one individual. Your Committee finds that, in October 2018, Hawaii Administrative Rules adopted by the Department of Health that established sanitation requirements for massage therapy establishments were repealed. Since this repeal, massage therapy establishments have not had to comply with any sanitation requirements. This measure promotes public health and safety by granting the Board of Massage Therapy (Board) statutory authority to promulgate and enforce sanitation rules, protects the public by authorizing the Board to require that massage therapists operate in sanitary and licensed massage therapy establishments, and increases penalties.

Your Committee has amended this measure by inserting an effective date of July 1, 2020.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2322, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2322, H.D. 1, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

Respectfully submitted on behalf of the members of the Committee on Commerce, Consumer Protection, and Health,

ROSALYN H. BAKER, Chair

## The Senate Thirtieth Legislature State of Hawai'i

## Record of Votes Committee on Commerce, Consumer Protection, and Health CPH

Bill / Resolution No.:*	Committee Referral: Date:				
HB 2322 HDI	CPH , JDC/WAM 3-13-2020				
The Committee is reconsidering its previous decision on this measure.					
If so, then the previous decision was to:					
The Recommendation is:					
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313					
Members		Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)					
CHANG, Stanley (VC)		1			
NISHIHARA, Clarence K.				~	
RUDERMAN, Russell E.	<b>/</b>				
THIELEN, Laura H.		\( \)			
WAKAI, Glenn		<b>/</b>			
FEVELLA, Kurt					
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TOTAL	;	6			1
Recommendation:					
Adopted Not Adopted					
Chair's or Designee's Signature:					
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy					

<sup>\*</sup>Only one measure per Record of Votes