STAND. COM. REP. NO. 2810

Honolulu, Hawaii

FEB 1 4 2020

RE: S.B. No. 2878

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 S.B. No. 2878 entitled:

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

begs leave to report as follows:

2020-1393 SSCR SMA.doc

The purpose and intent of this measure is to

- (1) Authorize the Board of Massage Therapy to prescribe sanitary rules for massage therapy establishments;
- (2) Repeal the petty misdemeanor penalty for those who practice massage or maintain a massage therapy establishment without a license; and
- (3) Increase the minimum and maximum fines for those who violate any law relating to the licensing of massage therapists.

Your Committee received testimony in support of this measure from the Board of Massage Therapy and American Massage Therapy Association - Hawaii Chapter.

Your Committee finds that the Hawaii Administrative Rules that governed sanitation requirements for massage establishments were repealed in October 2018. The repeal resulted in existing massage establishments not being subject to any form of sanitation rules. Your Committee further finds that without any form of

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sanitary requirement established in law, massage establishments will continue operating under self-imposed sanitary requirements. The Board of Massage Therapy is knowledgeable about best sanitary practices and your Committee believes the Board is better qualified than the Department of Health to adopt rules and regulations regarding sanitation requirements. This measure will ensure the safety of the public by granting rulemaking authority to, and clarifying enforcement powers of, the Board of Massage Therapy, and clarify certain penalties relating to the licensing of massage therapists.

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 S.B. No. 2878 and recommends that it pass Second Reading and be referred to your Committee on Judiciary.

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

Ranlyn 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.:*	Resolution No.:* Committee Referral:				Date:		
SB 2878	78 CPH, -		1DC		2/11/20		
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 (W	R)	Nay	Excused
BAKER, Rosalyn H. (C)			V				
CHANG, Stanley (VC)				-			
NISHIHARA, Clarence K.			1				
RUDERMAN, Russell E.			1				
THIELEN, Laura H.			<i>\</i>				
WAKAI, Glenn							
FEVELLA, Kurt							
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Recommendation:			Not A	dopted			
Chair's or Designee's Signature:							
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*Only <u>one</u> measure per Record of Votes