

ACT 214

H.B. NO.2843-74

A Bill for an Act Relating to Certain Occupations Licensed by the Department of Health.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. Section 321-13, Hawaii Revised Statutes, is amended to read:

“Sec. 321-13 Regulation of certain other occupations. (a) The department of health with the approval of the governor, may prescribe such rules or regulations as it deems necessary for the public health or safety respecting:

- (1) The occupations or practices of midwives, laboratory directors, laboratory technicians, physical therapists, tattoo artists, sanitarians, and itinerant vendors of medicines or drugs or devices;
- (2) The health, education, training, experience, habits, qualifications or character of persons to whom certificates of registration or permits for such occupations or practices may be issued;
- (3) The health, habits, character, practices, standards or conduct of persons holding such certificates or permits; or
- (4) The grounds or causes for revoking or suspending such certificates or permits.

Such rules or regulations shall have the force and effect of law.

(b) It shall be unlawful for any person to engage in or to attempt to engage in or to follow any of the occupations or practices referred to in this section, unless he first obtains and holds a valid unrevoked certificate of registration or permit under such rules or regulations as the department shall prescribe.

(c) The department may revoke or suspend any certificate of registration or permit issued under this section or issued prior to April 23, 1941, upon proof to its satisfaction of a violation of any rule or regulation of the department on the part of any person holding a certificate or permit; provided, that no such certificate or permit shall be revoked or suspended except upon due notice to the person holding the same and he shall be given an opportunity to be heard and present evidence in his own defense.”

SECTION 2. Section 321-14, Hawaii Revised Statutes, is amended to read:

“Sec. 321-14 License to practice certain occupations. It shall be unlawful for any person to practice any of the following listed occupations without a

license so to do; any person wishing to obtain a license to engage in any of the listed occupations shall make application to the department of health, in accordance with such rules or regulations as shall be prescribed by the department under section 321-13, and any such application shall be accompanied by an examination fee for such license in accordance with the following schedule:

(1) Physical therapist	\$10
(2) Midwife	10
(3) Tattoo artist.....	50
(4) Laboratory director	25
(5) Laboratory technician	10
(6) Sanitarian.....	10
(7) Itinerant vendor of medicines or drugs or devices	25

Where examination materials are purchased from a professional organization or examination service, the department may charge the applicant for the cost of such materials, such charges to be over and above the fees listed above."

SECTION 3. Section 321-15, Hawaii Revised Statutes, is amended to read:

"Sec. 321-15 Annual registration; fees, failure to register. Every person holding a license to practice any occupation, listed in section 321-14 shall re-register with the department of health, in accordance with the rules and regulations of the department, on or before January 31 of each year and shall pay a reregistration fee as provided for in the following schedule:

(1) Physical therapist	\$2
(2) Midwife	2
(3) Tattoo artist.....	5
(4) Laboratory director	5
(5) Laboratory technician	2
(6) Sanitarian.....	2
(7) Itinerant vendor of medicines or drugs or devices	5

The failure, neglect, or refusal of any person holding such license to reregister or to pay the reregistration fee, after thirty days of delinquency, shall constitute a forfeiture of his license; provided that the license shall be restored upon written application therefor together with a payment of all delinquent fees and a sum equal to the fee for the original license. If the delinquency continues over a period of more than one year, the person shall submit to and successfully pass an examination to be conducted by the department before the license is restored."

SECTION 4. Statutory material to be repealed is bracketed. New material is underscored. In printing this Act, the revisor of statutes need not include the brackets, the bracketed material, or the underscoring.*

SECTION 5. This Act shall take effect upon its approval.

(Approved June 12, 1974.)

*Edited accordingly.