

ACT 80

S.B. NO. 2517-82

A Bill for an Act Relating to Health.

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

SECTION 1. Section 321-13, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(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, and 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.”

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

“§321-14 **License to practice certain occupations.** It shall be unlawful for any person to practice any of the [following listed] occupations specified in section 321-13(a)(1) without a license so to do; any person wishing to obtain a license to engage in any of [the listed] the specified 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 as follows:

**"§321-15 Annual registration; fees, failure to register.** Every person holding a license to practice any occupation [listed] specified in section [321-14] 321-13(a)(1) shall reregister 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.] an additional late reregistration fee that may be established by the director of health."

SECTION 4. Chapter 321, Hawaii Revised Statutes, is amended by adding a new section to part I to be appropriately designated and to read as follows:

**"§321- Establishment of fees.** The department of health, by rules adopted pursuant to chapter 91, may establish reasonable fees for the issuance or renewal of licenses, permits, variances, and various certificates required by law or by the department's rules, and such fees may include the cost of related examinations, inspections, investigations, and reviews."

SECTION 5. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 6. This Act shall take effect upon its approval, except that sections 1, 2, and 3 shall take effect on January 1, 1983.

(Approved May 14, 1982.)