

ACT 15

S.B. NO. 218

A Bill for an Act Relating to Hearing Aid Dealers and Fitters.

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

SECTION 1. Section 26H-4, Hawaii Revised Statutes, is amended to read as follows:

“§26H-4 Repeal dates. (a) The following chapter is hereby repealed effective December 31, 1984:

(1) Chapter 436D (Board of Acupuncture)

(b) The following chapters are hereby repealed effective December 31, 1985:

(1) Chapter 460 (Board of Osteopathic Examiners)

(2) Chapter 461 (Board of Pharmacy)

(3) Chapter 455 (Board of Examiners in Naturopathy)

(4) Chapter 463E (Podiatry)

[(5) Chapter 451A (Board of Hearing Aid Dealers and Fitters)]

(6) [(5) Chapter 457B (Board of Examiners of Nursing Home Administrators)]

[(7)] [(6) Chapter 448H (Elevator Mechanics Licensing Board)]

[(8)] [(7) Chapter 462A (Board of Pilot Commissioners)]

(c) The following chapters are hereby repealed effective December 31, 1986:

(1) Chapter 437 (Motor Vehicle Industry Licensing Board)

(2) Chapter 437B (Motor Vehicle Repair Industry Board)

(3) Chapter 440 (Boxing Commission)

(4) Chapter 460J (Pest Control Board)

(5) Chapter 438 (Board of Barbers)

(6) Chapter 439 (Board of Cosmetology)

(d) The following chapters are hereby repealed effective December 31, 1987:

(1) Chapter 458 (Board of Dispensing Opticians)

(2) Chapter 459 (Board of Examiners in Optometry)

(3) Chapter 452 (Board of Massage)

(4) Chapter 471 (Board of Veterinary Examiners)

(5) Chapter 441 (Cemeteries and Mortuaries)

(6) Chapter 463 (Board of Detectives and Guards)

(e) The following chapters are hereby repealed effective December 31, 1988:

(1) Chapter 465 (Board of Certification for Practicing Psychologists)

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- (2) Chapter 468E (Board of Speech Pathology and Audiology)
- (3) Chapter 359L (Factory Built Housing Advisory Board)
- (4) Chapter 468B (Solar Energy Device Dealers)
- (5) Chapter 468K (Travel Agencies)
- (6) Chapter 373 (Commercial Employment Agencies)
- (7) Chapter 442 (Board of Chiropractic Examiners)
- (8) Chapter 448 (Board of Dental Examiners)
- (f) The following chapters are hereby repealed effective December 31, 1989:
  - (1) Chapter 444 (Contractors License Board)
  - (2) Chapter 448E (Board of Electricians and Plumbers)
  - (3) Chapter 464 (Board of Registration of Professional Engineers, Architects, and Surveyors)
  - (4) Chapter 466 (Board of Public Accountancy)
  - (5) Chapter 467 (Real Estate Commission)
  - (g) The following chapters are hereby repealed effective December 31, 1990:
    - (1) Chapter 447 (Dental Hygienists)
    - (2) Chapter 453 (Board of Medical Examiners)
    - (3) Chapter 457 (Board of Nursing)[.]
    - (h) The following chapter is hereby repealed effective December 31, 1991:
      - (1) Chapter 451A (Board of Hearing Aid Dealers and Fitters)."

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

"[ ]§451A-2[ ]] **License required.** 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 [he] the person is licensed and registered.

Any person wishing to obtain a license, or a permit or certificate of endorsement shall make application to the board and shall furnish to the board:

- (a) Satisfactory evidence of good moral character.
- (b) (a) Satisfactory proof that [he] the person is a graduate of a high school approved and recognized by the board.
- (c) (b) Satisfactory proof that [he] the person has fulfilled all of the requirements of the board.

An applicant shall be required to pass a written and practical examination.

For a period of six months after [ ]July 1, 1970[ ]], an applicant shall be issued a license without examination; provided that [he] the applicant has been principally engaged in the State as a hearing aid dealer and fitter for a total period of not less than two years within a period of five years immediately prior to [ ]July 1, 1970[ ]]."

SECTION 3. Section 451A-5, Hawaii Revised Statutes is amended to read as follows:

"[ ]§451A-5[ ]] **Powers and duties of the board.** The powers and duties of the board are to:

- (1) Adopt rules [and regulations] in accordance with chapter 91 to carry out the purposes of this chapter.
- (2) Develop standards for licensure.
- (3) Prepare and administer examinations.

- (4) Issue, renew, suspend, and revoke licenses.
- (5) Register applicants and holders of a license, permit and certificate of endorsement.
- (6) Investigate and conduct hearings regarding any violation of this chapter and any rules and regulations of the board.
- (7) Maintain a record of its proceedings.
- (8) Do all things necessary to carry out the functions, powers and duties set forth in the chapter.
- (9) Monitor medical authorizations and waiver records.
- (10) Develop policies and procedures, in consultation with the state ethics commission, for handling real or potential conflicts of interest."

SECTION 4. Statutory material to be repealed is bracketed. New statutory material is underscored.

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

(Approved April 13, 1985.)