

Honolulu, Hawaii  
March 21, 2014

RE: S.B. No. 2472  
S.D. 2  
H.D. 2

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2014  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2472, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO OCCUPATIONAL THERAPY PRACTICE,"

begs leave to report as follows:

The purpose of this measure is to amend the regulations of occupational therapists and occupational therapist assistants by:

- (1) Establishing an Occupational Therapy Program and licensing requirements for occupational therapists and occupational therapist assistants; and
- (2) Appropriating funds to implement the Occupational Therapy Program.

The Department of Commerce and Consumer Affairs, Kaiser Permanente Hawaii, Hawaii Athletic Trainers' Association, and an individual provided testimony in support of this measure. The Hawaii Substance Abuse Coalition and American Council of Life Insurers provided comments.



Your Committee has amended this measure by:

- (1) Authorizing a fine of up to \$1,000 for a violation of section 457G-G of this measure;
- (2) Requiring licensure of persons engaged in the practice of occupational therapy or using the term "licensed" in their title, including occupational therapists and occupational therapist assistants, and authorizing a fine of not more than \$1,000 for the unlicensed practice of occupational therapy;
- (3) Amending the definitions of "occupational therapist" and "occupational therapy assistant" to clarify that the terms include persons who engage in the practice of occupational therapy;
- (4) Deleting the fine per violation of engaging in the unlicensed practice of occupational therapy;
- (5) Imposing an additional surcharge of \$100 in addition to other licensing fees on new licensees until the amount collected from the additional surcharge is equal to the amount of the funds appropriated by this measure;
- (6) Changing its effective date to upon approval; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

Your Committee notes that the fines imposed by this measure, with the exception of the additional surcharge, are meant to discourage violation of the laws regulating occupational therapy. Your Committee respectfully requests that should your Committee on Finance deliberate on this measure, it consider inserting an appropriation of \$70,000.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2472, S.D. 2, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as S.B. No. 2472, S.D. 2, H.D. 2.



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



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ANGUS L.K. MCKELVEY, Chair



