

---

---

# A BILL FOR AN ACT

RELATING TO CITATIONS FOR MASSAGE THERAPY VIOLATIONS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Chapter 452, Hawaii Revised Statutes, is  
2 amended by adding a new section to be appropriately designated  
3 and to read as follows:

4           "§452-       Citation for licensee violations; fines. (a) In  
5 addition to any other remedy available under this chapter, the  
6 department of commerce and consumer affairs may issue a citation  
7 to any person who holds a license issued by the board for any of  
8 the following:

9           (1) Failure of a massage therapy establishment to  
10           conspicuously display a current massage therapy  
11           establishment license and the current licenses and  
12           permits of all persons employed by the massage therapy  
13           establishment;

14           (2) Failure of a massage therapist apprentice to wear a  
15           conspicuously placed name tag stating the massage  
16           therapist apprentice's name and the word "apprentice";

17           (3) Operation of a massage therapy establishment without a  
18           licensed principal massage therapist or licensed



1 designee in attendance on the premises at all times;

2 or

3 (4) Failure of a massage therapist or massage therapy

4 establishment to include the respective massage

5 therapist's or massage therapy establishment's current

6 license number in any advertisement.

7 (b) Each citation:

8 (1) Shall be in writing and describe the basis of the

9 citation, including the specific statute or rule

10 violated;

11 (2) May contain an order of abatement and the assessment

12 of a fine in the amount of \$250 for each violation;

13 (3) Shall be served on the licensee by personal service;

14 and

15 (4) Shall inform the licensee that the licensee may submit

16 a written request to the board for a hearing to

17 contest the citation, within twenty calendar days from

18 the service of the citation.

19 (c) If the licensee timely submits a written request to

20 the board for a hearing, the board may designate a hearings

21 officer to conduct the hearing in accordance with chapter 91.



1        (d) If the licensee does not timely submit a written  
2 request to the board for a hearing, the citation shall be deemed  
3 a final order of the board.

4        (e) Failure of a licensee to pay any assessed fine within  
5 thirty calendar days, unless the licensee contests the citation,  
6 may result in further disciplinary action taken by the board."

7        SECTION 2. New statutory material is underscored.

8        SECTION 3. This Act shall take effect on July 1, 2016.

9



**Report Title:**

Massage Therapy; Massage Therapists; Massage Therapist  
Apprentices; Licensees; Violations; Citation; Fines

**Description:**

Authorizes the issuance of a citation for specific violations of  
massage therapy laws by licensees. Establishes a process for  
licensees to contest the citation. Provides for the assessment  
of fines for each violation. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is  
not legislation or evidence of legislative intent.*

