

Honolulu, Hawaii

MAR 13 , 2020

RE: S.B. No. 2878
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Intrastate Commerce, to which was referred
S.B. No. 2878 entitled:

"A BILL FOR AN ACT RELATING TO MASSAGE THERAPY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Authorize the Board of Massage Therapy, rather than the Department of Health, to adopt and enforce sanitary rules for massage therapy establishments;
- (2) Repeal the petty misdemeanor penalty for practicing massage therapy without a license in favor of existing statutes that already treat unlicensed activity as a misdemeanor; and
- (3) Increase the minimum fine from \$100 to \$250 and the maximum fine from \$1,000 to \$2,000 for each violation of laws regulating massage therapy.

Your Committee received testimony in support of this measure from the Board of Massage Therapy, American Massage Therapy Association-Hawaii Chapter, and IMUAlliance.



Your Committee finds that the companion to this measure, H.B. No. 2322, H.D. 1 (Regular Session of 2020), a substantially similar measure, was previously passed by the House.

Your Committee has amended this measure by deleting its contents and inserting the contents of H.B. No. 2322, H.D. 1, which amends this measure by:

- (1) Requiring, rather than permitting, the Board of Massage Therapy to adopt and enforce sanitary rules for massage therapy establishments;
- (2) Inserting a savings clause;
- (3) Changing the effective date to July 1, 2050, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2878, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2878, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on
behalf of the members of the
Committee on Intrastate
Commerce,



TAKASHI OHNO, Chair



