

## NOTICE OF PUBLIC HEARING

Pursuant to Hawaii Revised Statutes (“HRS”) sections 26-9(l) and 26H-2(7) and Chapter 91, notice is hereby given that the Department of Commerce and Consumer Affairs will hold a public hearing on Wednesday, April 30, 2008 at 11:00 a.m., in the King Kalakaua Conference Room, First Floor, King Kalakaua Building, Department of Commerce and Consumer Affairs, 335 Merchant Street, Honolulu, Hawaii, to hear all persons interested in the proposed amendments to Hawaii Administrative Rules (“HAR”) Chapter 16-53 pertaining to fees related to boards and commissions.

The purposes of the proposed amendments are to: **(1)** Implement HRS section 92-28, and Act 155, SLH 2007, by adding a new section entitled “Discount for online renewals” to allow the decrease of renewal fees for online renewals when it is fiscally possible for the department to do; **(2)** Implement HRS 436B-13.3 by adding a new section entitled “Inactive and reactivation fees” to establish a basic fee structure for processing inactive and reactivation transactions based on the level of complexity of the review performed by the department and the licensing authorities, with the levels of review defined as non-complex, semi-complex, and complex; **(3)** Amend the inactive and reactivation fees for the following seven (7) licensing areas to make it consistent with the new basic fee structure for processing inactive and reactivation transactions, the impact of which reduces overall costs or have no impact to fees currently assessed: Chiropractic, Commercial Employment Agencies, Contractors, Medical, Pest Control Operators, Psychologists, and Real Estate

Appraisers; **(4)** Set forth new fees, consistent with the basic fee structure for processing inactive and reactivation transactions, relating to inactive and reactivation for the following eighteen (18) licensing areas that are implementing the provisions of HRS sections 436B-13.3 to allow licensees to inactivate and reactivate their license: Activity Providers and Activity Desks, Barbering, Beauty Culture, Collection Agencies, Dispensing Opticians, Electricians and Plumbers, Electrologists, Hearing Aid Dealers and Fitters, Marriage and Family Therapists, Massage Therapy, Naturopathy, Nursing Home Administrators, Occupational Therapists, Pharmacists and Pharmacy, Physical Therapy, Social Workers, Travel Agencies, and Veterinary Medicine; **(5)** Add new fees for inactive and reactivation pursuant to HRS section 463-10 for Private Detective and Guards; and **(6)** Make other non-substantive changes for the purposes of style and clarity.

All interested persons shall be afforded the opportunity to submit data, views, or arguments, orally or in writing, at the time of hearing. All persons wishing to submit written testimony are requested to submit 3 copies of their written testimony by Monday, April 21, 2008, to the Professional and Vocational Licensing Division at the address printed below.

A copy of the proposed rules will be mailed to any person who requests a copy upon receipt of \$7.55 for the copy and postage. Please submit your request to the Professional and Vocational Licensing Division at the address noted below or call (808) 586-2690 to request a copy.

Copies may also be picked up at the following address between 7:45 a.m. and 4:30 p.m., Monday through Friday, excluding holidays: Department of

Commerce and Consumer Affairs, Professional and Vocational Licensing Division, 335 Merchant Street, Room 343, Honolulu, Hawaii 96813. The cost of a copy, \$5.90, is due and payable at the time of pick up.

Further, the proposed rules may be reviewed in person free of charge at the Professional and Vocational Licensing Division at the address and hours of operation printed above. In addition, the full text of the proposed rules is available and can be downloaded free of charge from the web site of the Department of Commerce and Consumer Affairs:

[http://www.hawaii.gov/dcca/main/har/proposed\\_har](http://www.hawaii.gov/dcca/main/har/proposed_har).

Individuals who require special needs accommodations are invited to call Noe Noe Tom at (808) 586-2690 at least four (4) working days prior to the hearing.

Lawrence M. Reifurth  
Director  
State of Hawaii