

STAND. COM. REP. NO. 457 -08

Honolulu, Hawaii
Feb 15, 2008

RE: H.B. No. 3109

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 3109
entitled:

"A BILL FOR AN ACT RELATING TO DISPENSING OPTICIANS,"

begs leave to report as follows:

The purpose of this measure is to include the sale of
non-corrective contact lenses as part of the licensed occupation
of a dispensing optician.

Your Committee received testimony in support of this measure
from three different entities within the Department of Commerce
and Consumer Affairs: the Regulated Industries Complaints Office,
the Board of Examiners in Optometry, and the Dispensing Opticians
Program in the Professional and Vocational Licensing Division.

Your Committee finds that the federal Food, Drug and Cosmetic
Act now classifies all contact lens, including non-correction,
colored, and decorative lenses, as ophthalmic medical devices that
require a prescription in order to be dispensed or sold. Your
Committee further finds that this measure will likewise prohibit
the sale of decorative, non-corrective contact lenses by persons
who are not licensed as dispensing opticians.

As affirmed by the record of votes of the members of your
Committee on Health that is attached to this report, your
Committee is in accord with the intent and purpose of H.B. No.
3109 and recommends that it pass Second Reading and be referred to
the Committee on Consumer Protection & Commerce.

HB3109 HSCR LRB 08-1749.doc



Respectfully submitted on
behalf of the members of the
Committee on Health,

Josh Green M.D.

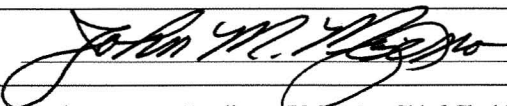
JOSHUA B. GREEN, M.D., Chair



State of Hawaii
House of Representatives
The Twenty-fourth Legislature

HSCR 457-08

Record of Votes of the Committee on Health

Bill/Resolution No.: HB 3109	Committee Referral: HLT, CPC	Date: 2-13-08		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. GREEN, Josh, M.D. (C)	✓			
2. MIZUNO, John (VC)	✓			
3. AWANA, Karen Leinani	✓			
4. BELATTI, Della Au	✓			
5. BERTRAM, Joe, III	✓			
6. CABANILLA, Rida T.R.	✓			
7. RHOADS, Karl	✓			
8. SHIMABUKURO, Maile S. L.	✓			
9. TOKIOKA, James Kunane	✓			
10. WARD, Gene, Ph.D.				
TOTAL (10)	10			
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office				