



## SMALL BUSINESS REGULATORY REVIEW BOARD

Department of Business, Economic Development & Tourism (DBEDT)  
No. 1 Capitol District Building, 250 S. Hotel Street, Fifth Floor, Honolulu, HI 96813  
Mailing Address: P.O. Box 2359, Honolulu, HI 96804  
Email: [dbedt.sbrrb.info@hawaii.gov](mailto:dbedt.sbrrb.info@hawaii.gov)  
Website: [sbrrb.hawaii.gov](http://sbrrb.hawaii.gov)

Tel: 808 798-0737

### AGENDA

**Thursday, June 16, 2022 ★ 10:00 a.m.**  
**No. 1 Capitol District Building**  
**250 S. Hotel Street, Conference Room 436**  
**Honolulu, HI 96813**

**David Y. Ige**  
*Governor*

**Mike McCartney**  
*DBEDT Director*

#### Members

Robert Cundiff  
*Chairperson*  
*O'ahu*

Mary Albitz  
*Vice Chairperson*  
*Maui*

Jonathan Shick  
*2nd Vice Chairperson*  
*O'ahu*

Dr. Nancy Atmospera-  
Walch  
*O'ahu*

William Lydgate  
*Kaua'i*

James (Kimo) Lee  
*Hawai'i*

Garth Yamanaka  
*Hawai'i*

Taryn Rodighiero  
*Kaua'i*

Sanford Morioka  
*O'ahu*

Tessa Gomes  
*O'ahu*

Mark Ritchie for  
Director, DBEDT  
*Voting Ex Officio*

As authorized under Act 220, Session Laws of Hawaii 2021 and Chapter 92-3.7 Hawaii Revised Statutes (HRS), the public can participate in the meeting either:

(1) **By attending the in-person meeting at:**  
**No. 1 Capitol District Building, 250 S. Hotel Street – Conference Room 436, Honolulu, HI 96813;** or

(2) **Via video-audio livestream - To join the video-audio livestream meeting, go to:**

<https://us06web.zoom.us/j/88945374966?pwd=cDhqWEEzZGZHYmJLM05tMHU5Mm5HQ09>

Dial 1-669-900-6833 with Meeting ID 883 5814 0200

When the Chairperson asks for public testimony during the meeting, you may indicate that you want to provide oral testimony by using the raise hand function or, if calling in by telephone, entering \* and 9 on your phone keypad. When recognized by the Chairperson, you will be unmuted. If calling in by phone, you can unmute and mute yourself by pressing \* and 6 on your keypad.

Members of the public may also submit written testimony via e-mail to: [DBEDT.sbrrb.info@hawaii.gov](mailto:DBEDT.sbrrb.info@hawaii.gov) or mailed to SBRRB, No. 1 Capitol District Building, 250 S. Hotel Street, Room 506A, Honolulu, HI 96813, or P.O. Box 2359, Honolulu, HI 96804. All written testimony should be received no later than 4:30 p.m., Wednesday, June 15, 2022.

Copies of the Board Packet will be available: 1) on-line for review at: [Agendas & Minutes – Small Business Regulatory Review Board \(hawaii.gov\)](http://Agendas%20%26%20Minutes%20-%20Small%20Business%20Regulatory%20Review%20Board%20(hawaii.gov)); and at 2) No. 1 Capitol District Building, 250 S. Hotel Street, Room 506A, Honolulu, HI 96813.

The Board may go into Executive Session under Section 92-5 (a)(4), HRS to Consult with the Board's Attorney on Questions and Issues Concerning the Board's Powers, Duties, Immunities, Privileges and Liabilities.

- I. Call to Order**
- II. Approval of March 10, 2022 Meeting Minutes**
- III. New Business – Before Public Hearing**

- A. Discussion and Action on Proposed New Hawaii Administrative Rules (HAR) Title 11 Chapter 94.2, **Nursing Facilities**, promulgated by Department of Health (DOH)
- B. Discussion and Action on Proposed New HAR Title 11 Chapter 97.1, **Home Health Agencies**, promulgated by DOH
- C. Discussion and Action on Proposed New HAR Title 11 Chapter 103.1, **Licensure and Certification Fees for Health Care Facilities and Agencies**, promulgated by DOH

#### IV. **Legislative Matters**

- A. Update on the following:
  - 1. Governor’s Message 823 Submitted for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, **Jonathan Schick**, for a term to expire June 30, 2026
  - 2. Governor’s Messages 862 and 863 for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, **Tessa Gomes**, for terms to expire June 30, 2022 and June 30, 2026, respectively
  - 3. Governor’s Message 725 Submitted for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, **James Lee**, for a term to expire June 30, 2024
  - 4. Governor’s Message 726 Submitted for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nominee, **Sanford Morioka**, for a term to expire June 30, 2023
  - 5. Governor’s Message 730 Submitted for Consideration and Confirmation to the Small Business Regulatory Review Board, Gubernatorial Nomination, **William Lydgate**, for a term to expire June 30, 2026

#### V. **Administrative Matters**

- A. Update on the Status of the Board’s Phase II Website Project
- B. Review and Update Board Members “Discussion Leader Assignments” for State and County Agencies’ Hawaii Administrative Rules
- C. Update on the Board’s Upcoming Advocacy Activities and Programs in accordance with the Board’s Powers under Section 201M-5, Hawaii Administrative Rules (HRS)

#### VI. **Election of Board Officers**

- A. Discussion and Action on the following:
  - a. Chairperson, pursuant to Section 201M-5(c), HRS
  - b. Vice Chair
  - c. Second Vice Chair

**VII. Next Meeting:** Thursday, July 21, 2022 at 10:00 a.m., held at 250 S. Hotel Street, Conference Room 436, Honolulu, HI 96813

#### VIII. **Adjournment**

If you require special assistance or auxiliary aid and/or services to participate in the public hearing process, please call (808) 798-0737 or email [dbedt.sbrrb.info@hawaii.gov](mailto:dbedt.sbrrb.info@hawaii.gov) at least three (3) business days prior to the meeting so arrangements can be made.