

Most people are not aware that a professional or vocational license is required before you can work in certain industries. There are currently over 48 different industries in which a professional or vocational license is required. These industries are the kind that affect the health, safety, and welfare of Hawaii's citizens.

What is the Regulated Industries Complaints Office?

The Regulated Industries Complaints Office (RICO) is a statewide agency of the Department of Commerce and Consumer Affairs. It is the enforcement arm for the various professions and vocations that are licensed in the State. RICO investigates allegations of professional misconduct by licensees and also investigates possible unlicensed activity that may be occurring in the State. RICO's partner agency, the Professional and Vocational Licensing Division, accepts applications and issues licenses for the various licensing boards, commissions, and programs.

How are cases initiated?

RICO investigates complaints received from consumers, from the various licensing authorities, and from anonymous sources. RICO also initiates cases based on referrals from other law enforcement agencies and professional associations. Occasionally, matters are reported by hospitals and employers. RICO also conducts compliance checks, and sweep and sting operations.

How do I file a complaint with RICO?

Simply complete a RICO complaint form. Complaint forms are available online or from your local RICO office. You can also call or write and a complaint form will be mailed to you.

Does it cost money to file a complaint?

There is no fee to file a complaint. You will be asked to include copies of documents or other evidence you may have, so you may incur incidental expenses for copying and postage. (Please do not send originals to our office.)

Is there a time limit for filing a complaint?

There is no time limit for filing a complaint. However, it is best to file your complaint as soon as possible. Complaints that involve situations distant in time may be difficult to investigate.

What kind of complaints does RICO investigate?

Some of the more typical complaints RICO investigates involve allegations of poor workmanship, negligence, or unlicensed activity. Less frequently, RICO investigates conduct involving sexual contact with patients or clients, criminal convictions, and misappropriation of funds. Some things, even if proven true, may not constitute grounds for discipline. For example, concerns that a patient has been made to wait a long time at a doctor's office, or that a licensee has charged a lot of money for a particular service, are not usually within the licensing authority's jurisdiction. Other conduct, although egregious, may be criminal in nature and not specifically addressed by licensing laws. You will be notified if your complaint does not fall within RICO's jurisdiction or if there is insufficient evidence to proceed with an investigation.

What is my role in the process?

You may be contacted by a RICO investigator and/or attorney to be interviewed or to provide additional information. If the case proceeds to a hearing, you may be called as a witness for the State. No matter what the outcome, you will be notified of the final disposition of your complaint.

Does RICO represent me?

RICO attorneys do not represent individual consumers. RICO's primary obligation is to take the actions necessary to ensure that licensing violations are appropriately addressed. Although, we may seek or obtain restitution as part of an enforcement action, we do not guarantee restitution will be awarded or asked for in every case. We strongly advise all consumers to immediately explore any civil remedies they may have. Do not wait for a RICO action to be concluded. An investigation or prosecution by RICO does not prevent you from pursuing any private right of action or civil remedies you may be entitled to.

Will my complaint be public?

RICO provides complaint history information to the public, including information about certain cases, including the names of the individual or business complained about, possible violations, and the outcome of closed complaints. The information and records you provide will otherwise be held in confidence, unless disclosure is required for RICO purposes or otherwise required by law.

What kind of penalties may be imposed?

Civil or administrative remedies may be imposed in a RICO case, ranging from fines, suspension or revocation of a license, or injunctions prohibiting future unlicensed activity. RICO may also issue warning letters.

Why should I file a RICO complaint?

In addition to investigating and prosecuting complaints, where appropriate, RICO will work to assist consumers to resolve their disputes with licensees. Although not a guarantee, filing a complaint may lead to the resolution of your dispute. Additionally, RICO relies on information from consumers to monitor conduct in the industry and to watch for unlicensed activity. Your information helps.

RICO's Areas of Jurisdiction. The following is a list of some of the professions and vocations currently licensed in the State of Hawaii:

- Accountants
- Acupuncture Practitioners
- Activity Desks
- Athletic Agents and Athletic Trainers
- Barbers and Barber Shops
- Cemeteries
- Chiropractors
- Collection Agencies
- Contractors
- Cosmeticians, Estheticians, Hairdressers and Manicurists
- Dentists and Dental Hygienists
- Dispensing Opticians and Optometrists
- Electricians and Plumbers
- Elevator Mechanics
- Emergency Medical Technicians
- Employment Agencies
- Engineers, Architects, Surveyors, and Landscape Architects
- Hearing Aid Dealers and Fitters
- Marriage and Family Therapists
- Massage Therapists and Establishments
- Mental Health Counselors
- Mixed Martial Arts Contests
- Motor Vehicle Sales and Repairs
- Naturopaths and Osteopaths
- Nurses
- Occupational Therapists
- Pest Control Operators
- Pharmacies and Pharmacists
- Physical Therapists
- Physicians and Physician Assistants
- Podiatrists
- Port Pilots
- Private Detectives and Guards
- Psychologists
- Real Estate Appraisers
- Real Estate Brokers and Salespersons
- Speech Pathologists and Audiologists
- Veterinarians

RESOURCES

The Department of Commerce and Consumer Affairs (DCCA), and its Regulated Industries Complaints Office (RICO), offer tools, tips, and services you can use to check out an individual or business. Information is available by calling **(808) 587-4272** or online at **cca.hawaii.gov/business_online**.

For information about filing a complaint or to report unlicensed activity, call RICO's Consumer Resource Center at **(808) 587-4272** or visit us online at **cca.hawaii.gov/rico**.

Neighbor island residents can dial the following numbers then 7-4272 followed by the # sign:

Kauai.....	274-3141
Maui.....	984-2400
Hawaii.....	974-4000
Lanai & Molokai.	1-800-468-4644

RICO is the enforcement arm for over forty-five professional boards, commissions, and programs that are administratively attached to the Department of Commerce and Consumer Affairs. RICO receives complaints, conducts investigations, and prosecutes licensing law violations. RICO also prosecutes unlicensed activity through the issuance of citations and by filing civil lawsuits in the Circuit Courts. RICO works to resolve consumer complaints where appropriate and provides consumer education about various issues relating to licensing and consumer protection. RICO also administers the State Certified Arbitration Program (SCAP) for "lemon" motor vehicle claims.

This brochure is for informational purposes only and not intended for the purposes of providing legal advice. Information provided is subject to change. Printed material can be made available for individuals with special needs in Braille, large print or audio tape. Submit requests to the RICO Complaints and Enforcement Officer at 586-2666.

THE REGULATED INDUSTRIES COMPLAINTS OFFICE



Regulated Industries Complaints Office

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