

**PRESENTATION OF THE
BOARD OF PSYCHOLOGY**

TO THE HOUSE COMMITTEE ON
HEALTH

TWENTY-SEVENTH LEGISLATURE
Regular Session of 2014

**Wednesday, February 5, 2014
10:00 a.m.**

TESTIMONY ON HOUSE BILL NO. 2208, RELATING TO CONTINUING EDUCATION.

TO THE HONORABLE DELLA AU BELATTI, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is Carol L. Nowak, Ph.D., and I am the Chairperson of the Hawaii Board of Psychology ("Board"). The Board has not had an opportunity to review House Bill No. 2208, but will do so at its meeting on February 21, 2014. Therefore, it is not able to take a position on this specific bill.

However, by way of background, the Board and the Hawaii Psychological Association ("HPA") were requested, pursuant to House Concurrent Resolution No. 201, H.D.1, which was adopted by the Twenty-Seventh Legislature of the State of Hawaii, Regular Session of 2013, to submit a proposed draft for a bill to establish, implement and monitor continuing education requirements for all licensed psychologists in the State. As such, and after several months of discussion and compromise between the parties, a proposed bill was submitted to the State of Hawaii Legislature on December 13, 2013. Subsequently, similar language to this draft bill was introduced in the House as House Bill No. 2030 and in the Senate as Senate Bill No. 2465 (the Senate Committee on Commerce and Consumer Protection passed this bill out with

Testimony on House Bill No. 2208

Wednesday, February 5, 2014

Page 2

technical amendments). Accordingly, it would be preferable that the language established in House Bill No. 2030 be considered.

Thank you for the opportunity to provide testimony on House Bill No. 2208.



HAWAII MEDICAL ASSOCIATION

1360 S. Beretania Street, Suite 200, Honolulu, Hawaii 96814
Phone (808) 536-7702 Fax (808) 528-2376 www.hmaonline.net

DATE: Wednesday, February 05, 2014
TIME: 10:00 AM
PLACE: Conference Room 329

COMMITTEE ON HEALTH

Rep. Della Au Belatti, Chair
Rep. Dee Morikawa, Vice Chair

FROM: Hawaii Medical Association
Dr. Walton Shim, MD, President
Dr. Linda Rasmussen, MD, Legislative Co-Chair
Dr. Ron Keinitz, MD, Legislative Co-Chair
Dr. Christopher Flanders, DO, Executive Director
Lauren Zirbel, Community and Government Relations

Re: HB 2208

Position: Strong Support.

The HMA commends the introducers of this bill.

The HMA is in strong support of continuing education for all healthcare providers. Healthcare standards change dramatically year to year and it is of the utmost importance that providers develop life-long learning as a demonstration to the public of professional responsibility in maintaining competence, performance and improving outcomes.

The HMA would also like to offer our assistance, should it be needed, in the development of CE. The HMA accredits most of the state's CME for physicians and would be happy to assist the development of CE for psychologists.

Thank you for hearing this bill and for the opportunity to provide testimony.

Officers

*President - Walton Shim, MD President-Elect – Robert Sloan
Secretary - Thomas Kosasa, MD Immediate Past President – Stephen Kemble, MD
Treasurer – Brandon Lee, MD Executive Director – Christopher Flanders, DO*

HOUSE BILL HB2208, RELATING TO CONTINUING EDUCATION

To the Honorable Chair Belatti, Vice Chair Morikawa and Members of the House Committee on Commerce and Consumer Protection

Thank you for the opportunity to provide information to you for HB2208, which proposes Continuing Education (CE) for psychologists. I strongly support the intent of the bill to ensure that psychologists are current on training. As a past Continuing Education Administrator, I understand the significance of lifelong learning and professional development. This measure is an assurance of ethical treatment, continuity in licensure requirements and patient safety. This bill will bring Hawai'i into substantial compliance with other professions providing essential services and national standards.

Background

In Hawai'i, to qualify for licensure, an applicant must hold a doctoral degree in psychology or educational psychology from a regionally accredited institution of higher education or a doctoral degree from an American Psychological Association (APA) approved program in clinical psychology, and successfully pass the Examination for Professional Practice in Psychology (EPPP), administered by the Association of State and Provincial Psychology Boards (ASPPB). Both the APA and ASPPB are national organizations recognized by Hawai'i for extensive experience in credentialing and accrediting. The APA requires that CEs build on doctorate training and has a CE Sponsor program for organizations meeting APA requirements for CE courses offered for psychologists. In 2010 the American Psychological Association adopted policy for a new definition of psychologist for licensure.

Comments

This measure provides an assurance that reliable standards for ethical treatment, continuity in licensure standards, substantial compliance with national standards and patient safety are continually adhered to:

- By requiring that continuing education courses are only those courses offered by a regionally accredited institution of higher education or an approved American Psychological Association sponsor. (Page2, lines 4-6). This aligns with current licensing doctoral degree requirements held from regionally accredited institutions of higher education or the American Psychological Association.
- By including scientific ethics as a course. (Page 2, line 10). This aligns with current licensing requirements requiring training in scientific ethics and professional standards.
- By identifying renewal, suspension and reinstatement requirements. (Page 2, lines 14-22).
- By requiring documentary proof of compliance with continuing education requirements. (Page 2, line21)

- By authorizing the director of commerce and consumer affairs authority to conduct random audits. (Page 4, lines 1-8). This aligns with current audit responsibilities in DCCA.
- By identifying conditions of professional misconduct, fraud, deception, untruthful statements and inability to practice. (Page 4, lines 16-18; Page 5, lines 3-5)
- By identifying the training exemption for the practice of psychology. (Page 6, lines 10-12).

Comments

This measure may benefit from the following amendments:

- Amend the Bill to read “Relating to Continuing Education for Psychologists”.
- Amend Page 2, line 2 to read “amended by updating the definition of psychologist and adding three new definitions”.
- Amend Page 2, line 4 to read “ Psychologist means (a) any person licensed as a psychologist and (b) any general applied psychologist whose practice areas are currently exempted under HRS 465 and includes a person representing himself or herself to be a psychologist if that person uses any title or description of services incorporating the words psychology, psychological or psychologist or if he or she used any term that implies that he or she possesses expert qualification in any area of psychology, or if that person offers to the public or renders to individuals or groups of individuals services defined as the practice of psychology in HRS 465. (This amended definition brings Hawai`i into substantial compliance with national policy adopted in 2010 by the American Psychological Association on the definition of psychologist for licensure).
- Amend Page 6, lines 10-12 to read “Aiding or abetting any unlicensed person, other than doctoral trainees working for psychologists, to directly or indirectly use the title psychologist to engage in the practice of psychology; (This amendment recognizes the training exemption and aligns with current exemptions).
- Amend Page 6, line 21 to read “Conviction of any crime or offense in this state or any other state in the United States or any territory or possession under the jurisdiction of the United States”. (This recognizes the State of Hawaii FY 2014 DCCA Geographic Report for current licenses – Hawai`i: 987; Mainland: 269; Foreign: 4).

Mahalo for this opportunity to provide information for your consideration in HB2208. The measure will significantly enhance training and provide an assurance of ethical treatment and patient safety.

Dr. Cynthia Dang

Past Hawai`i Psychological Association Continuing Education Program Administrator

American Psychological Association Member

Hawai`i Psychological Association Member

**Representative Della Au Bellati, Chair
Representative Dee Morikawa, Vice Chair
Committee on Health**

February 4, 2014

Wednesday, February 5, 2014, 10:00 a.m., Room 329

TESTIMONY IN OPPOSITION OF HB 2208
Relating to Continuing Education for Psychologists

Honorable Chair Belatti, Vice Chair Morikawa and members of the committee, my name is Dr. Jill Oliveira Gray. I am a Licensed Hawai'i Clinical Psychologist and work in several roles to provide and promote psychological services and training in our state. I am currently the Director of Training and one of the Clinical Supervisors at I Ola Lāhui, a rural behavioral health psychology training program. I also hold a Staff Psychologist position at the Waimānalo Health Center and am a past president of the Hawai'i Psychological Association.

I would like to ask the Committee on Health to defer HB 2208 and instead hear and pass HB 2030.

HB 2030 is the bill that Hawai'i Psychological Association worked on in close collaboration with the Department of Commerce and Consumer Affairs following the 2013 legislative resolution.

Respectfully submitted,

Jill Oliveira Gray, Ph.D.

morikawa2-Joanna

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 03, 2014 11:39 PM
To: HLTtestimony
Cc: drmarieterry@yahoo.com
Subject: Submitted testimony for HB2208 on Feb 5, 2014 10:00AM

HB2208

Submitted on: 2/3/2014

Testimony for HLT on Feb 5, 2014 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
marie terry-bivens	Individual	Oppose	No

Comments: Aloha esteemed lawmakers, i am Dr. Marie Terry-Bivens, President-Elect of the Hawaii Psychological Association (HPA). I oppose HB 2208, because it was not developed in conjunction with HPA or DCCA as HB 2030 was. The legislature requested that HPA work with the DCCA in forming our proposed CEU legislation, and the product of that effort is HB 2030. I would much prefer that the legislature hear and pass HB 2030, the bill that is the product of a substantial effort by HPA to research best practice with regard to CEUs.. Upon close examination, I believe you will agree that HB 2030 is a far superior bill to ensure high quality services from psychologists with enforceable provisions, but at minimal administrative costs for the state. Thus, opposing HB 2208 is important in order to support HB 2030 when it comes up. Thank you very much, Marie Terry-Bivens, Psy.D.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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morikawa2-Joanna

From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 03, 2014 7:57 PM
To: HLTtestimony
Cc: gtoloza@mac.com
Subject: Submitted testimony for HB2208 on Feb 5, 2014 10:00AM

HB2208

Submitted on: 2/3/2014

Testimony for HLT on Feb 5, 2014 10:00AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Gabrielle Toloza	Individual	Oppose	No

Comments: I request that this committee defer HB 2208 and instead hear and pass HB 2030. HB 2208 is not the measure worked on in conjunction with Hawaii psych association & DCCA as requested by the Legislature through resolution last year. Please defer HB 2208 and Hear and pass HB 2030

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LATE



Hawai'i Psychological Association *For a Healthy Hawai'i*

P.O. Box 833
Honolulu, HI 96808

www.hawaiipsychology.org

Phone: (808) 521-8995

Representative Della Au Bellati, Chair
Representative Dee Morikawa, Vice Chair
Committee on Health

February 4, 2014

Wednesday, February 5, 2014, 10:00 a.m., Room 329

TESTIMONY IN OPPOSITION OF HB 2208
Relating to Continuing Education for Psychologists

Honorable Chair Belatti, Vice Chair Morikawa and members of the committee, my name is Dr. Nancy Sidun. I am a Licensed Hawai'i Clinical Psychologist, Board Certified by the American Board of Professional Psychology in Clinical Psychology, and currently the President of the Hawaii Psychological Association. My clinical work in Hawaii has included academics and direct service. I moved to Hawaii in 2000 to be the Department Head of the graduate Clinical Psychology Doctoral Program at Argosy University and after leaving Argosy University in 2004, I've been at Kaiser Permanent as a Supervising Clinical Psychologist and Director the Psychology Postdoctoral Residency Program. I know the importance and value of Continuing Education and hold heartedly support the notion of Continuing Education for licensed psychology. However, **I would like to ask the Committee on Health to defer HB 2208 and instead hear and pass HB 2030.**

HB 2030 is the bill that Hawai'i Psychological Association worked on in close collaboration with the Department of Commerce and Consumer Affairs following the 2013 legislative resolution.

Respectfully submitted,

Nancy M. Sidun, Psy.D., ABPP, ATR
President
Hawai'i Psychological Association



Hawai'i Psychological Association

For a Healthy Hawai'i

P.O. Box 833
Honolulu, HI 96808

www.hawaiipsychology.org Phone: (808) 521-8995

LATE

Representative Della Au Belatti, Chair
Representative Dee Morikawa, Vice Chair
Committee on Health

TESTIMONY IN OPPOSITION OF HB 2208
Relating to Continuing Education
Wednesday, February 5, 2014, 10:00 a.m., Room 329

February 4, 2014

Honorable Chair Au Belatti, Vice Chair Morikawa and members of the committee, my name is Dr. Robin Miyamoto. I am a Clinical Psychologist, Past-President of Hawai'i Psychological Association, and Chair of the Legislative Committee. I would like to provide testimony in opposition of House Bill 2208.

HPA would like to ask the Committee on Health to defer HB 2208 and instead hear and pass HB 2030. HB 2030 is the bill that Hawai'i Psychological Association worked on in close collaboration with the Department of Commerce and Consumer Affairs following the 2013 legislative resolution.

Thank you for your consideration of our testimony in opposition of HB 2208.

Respectfully submitted,

Robin E. S. Miyamoto, Psy.D.
Clinical Psychologist
Chair, HPA Legislative Committee

COMMITTEE ON HEALTH
REPRESENTATIVE DELLA AU BELLATI, CHAIR
REPRESENTATIVE DEE MORIKAWA, VICE CHAIR

LATE

FEBRUARY 4, 2014

Jeffrey D. Stern, Ph.D.
Licensed Clinical Psychologist
1833 Kalakaua Ave. Suite 908
Honolulu, HI 96815

Honorable Chair Belatti, Vice Chair Morikawa and members of the committee, my name is Dr. Jeffrey Stern. I am a Hawai'i -Licensed Clinical Psychologist and work in several roles to provide and promote psychological services and training in our state. I am currently the Clinical Internship Director and the university-based supervisor for mental health counseling master's degree students at Hawai'i Pacific University (license-eligible). I also see clinic patients on Saturdays in my private practice, I am the recent past president of the Hawai'i Psychological Association, and most importantly, I chaired the Association's Legislative subcommittee that helped draft the other MCE bill HB 2030, along with DCCA's Ahlani Quiogue, the HPA Board and its executive director, and our subcommittee of 5 members both for and against. I have worked hard to ensure all voices would be heard and conducted myself and my committee business with transparency, providing updates and inviting input at several points along the way. This is what was requested by the Legislature in a resolution passed last year. I therefore posit that HB2008 is moot.

What follows is my testimony for HB 2030, the bill I would like you to consider for passage this legislative session and behind which I throw my full support. I'm hoping that this body will, as did its counterpart on the Senate side, examine the two bills simultaneously and decide to move forward with HB 2030.

Over this past year as the Chair of the MCE subcommittee, I attended more than 6 meetings, exchanged more than 70 emails, recruited membership participation from those in favor and those in opposition, surveyed HPA members and non-member psychologists in regards to their opinions and concerns about MCE, generated draft legislation with these and the concerns of the DCCA in mind, met with the Board of Psychology and listened to their concerns, and worked collaboratively with the Board of Psychology and the DCCA on the legislation that is before you. Over 50 hours of meetings and work went into this collaborative effort.

Psychologists' ethical guidelines implicitly mandate a commitment to continuing development of its knowledge base and the practice of clinical psychology should be guided not only by previously established facts and treatments, but also by relevant and more recent additions to our knowledge base. In an age of ever-growing accountability, we have an obligation to consumers and our colleagues to be current with our knowledge in our field (broadly) and our specialties (if applicable).

In a 1990 article by VendeCreek, Knapp, and Brace in *Professional Psychology Research and Practice*, the authors reviewed the literature on effectiveness of CE *across allied health professions* in enhancing quality of services in health professions and concluded that if properly implemented, CE can positively impact health care in the face of ever- and rapidly-increasing knowledge base and technology. Note, this article is nearly 25 years old, covering research conducted up to 50 years ago. Since then, CE programs have improved and are implemented in a manner that is accessible (including to those living

on the Neighbor Islands and in rural communities), reasonably priced, and directly addresses accountability. I emphasize the age of the article as evidence that the time has come for Hawai'i to move forward and mandate continuing education for psychologists, but a law this promotes access to CE opportunities and tries to minimize expense (administrative time and money) to psychologists, members of the Board of Psychology, and the DCCA.

Thank you for the opportunity to provide my mana'o.

A handwritten signature in black ink, appearing to read "Jeffrey D. Stern". The signature is stylized with a large, looped initial "J" and "S".

Jeffrey D. Stern, Ph.D.

HB2208

Submitted on: 2/5/2014

Testimony for HLT on Feb 5, 2014 10:00AM in Conference Room 329

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Tyler Ralston	Individual	Oppose	No

Comments: Dear Chair Belatti and Vice Chair Morikawa, Please oppose HB2208. There is little to nothing to gain by mandating continuing education, and potentially a lot to lose for the profession of psychology and ultimately those in our community who need good care. The term "Continuing Education" refers to readings, presentations, workshops, conferences and other vehicles that may have been approved by APA, HPA, etc. as acceptable for credit. One of many problems with this system is that the term itself is a misnomer in that it leads one to believe that doing the activity will lead to substantial education and ultimately best care. There is not evidence supporting this, and although the Mandated CE model may (or may not) work for other professions, psychology is unique and warrants a closer look to determine the best way to ensure providers are up to date and competent. To be technically more accurate, less assumptive, and less leading, the practice of attending presentations and doing readings would be better labelled Continuing Presentation (CP), or Continuing Reading (CR) and then studied to see if it is even effective in achieving the goals we want to achieve as psychologists. Yet another problem with mandating CE for psychologists is that it is likely to lead to even more complacency with regard to the profession moving forward with increased competency in a truly valid manner. Its easy to see psychologists focused more on getting their CE points as the goal than truly seeking, learning and mastering the latest to improve outcomes for clients. While we can say 18 CEUs is a minimum, many will undoubtedly get their 18 and construe that to mean they are up to speed in their field. Myself and the psychologists that I am acquainted with in Hawaii do copious amounts of reading and presentation attending, and its based on what we believe will help with growing our skills as psychologists and ultimately better help clients. Even then, its just a guess as to whether this actually translates to better care for clients. If instead mandating 18 CEUs, we conducted studies to learn what actually works to accomplish our goals, we may find for example that practices such as retaking a licensure exam, or a subset of the exam every renewal cycle, or requiring psychologists to complete a six-month long or other prolonged, intensive training every five years, may be best for ensuring competency and excellence. The point is this, we do not yet know the answer to the question of how to best accomplishing our goal, and to go through the gyration of mandating CE for psychologists will cost everyone from the state and psychologists to clients, patients, and those in need of top-notch care. True continuing education is vitally important to ensuring we have ethical psychologists providing best-practice care, however I do not believe that mandating 18 CEUs for psychologists is the best way to accomplish this, nor in the long-term best interest of any of the parties this will impact if made law. I kindly ask that you please do not support HB2208. Thank you. Sincerely, Tyler Ralston, PsyD Hawaii License #975

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