



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/30/2016
Time: 02:00 PM
Location: 308
Committee: House Finance

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: SB 1311, SD2, HD1 RELATING TO EDUCATION.

Purpose of Bill: Exempts a licensed or credentialed practitioner practicing within the practitioner's own recognized scope of practice from licensure and certification requirements. Temporarily exempts from the licensing requirements for the practice of behavior analysis, direct support workers who provide autism treatment services pursuant to an Individualized Education Plan. Requires the Department of Education to report to the Legislature on implementing measures to comply with the licensure and certification requirements. (SB1311 HD1)

Department's Position:

The Department of Education (Department) supports SB 1311 SD2 HD1. The Department continues to analyze the budgetary implications associated with mandatory behavior analysis licensing for Department employees. Based on its preliminary research and examination of licensure requirements, it is anticipated implementation will not only be expensive and costly but will require the Department to respectfully request for a delay in implementation and resources from this Legislature.

As part of their regular duties in the delivery of teaching and strategies to assist students to learn, Department personnel may engage in the practice of behavior analysis in a school classroom setting. In this context, behavior analysis would focus on the identification of performance or behavioral issues and the intervention(s) such as positive reinforcement to result in positive learning and educational outcomes for a child with autism spectrum disorder.

Department personnel, including but not limited to, general and special education teachers, counselors, school psychologists, and educational assistants do not, in the course of their work in a public educational setting, use any title or description stating or implying that the individual is a licensed behavior analyst or a "practicing" behavior analyst.

SB 1311 SD2 HD1 is important to avoid a disruption in services to students with autism spectrum disorder provided by school personnel pursuant to an individualized education program. The language in this measure provides the Department with the time to further research the operational, financial, education requirements, professional development, and

collective bargaining components necessary to implement this measure with fidelity.

With the exception of teachers and paraprofessionals, it also ensures that other licensed educational professionals are not subject to mandatory licensing outside the scope of their formal educational degrees and training.

Thank you for the opportunity to provide testimony on this measure.



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
919 ALA MOANA BOULEVARD, ROOM 113
HONOLULU, HAWAII 96814
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543
March 30, 2016

The Honorable Sylvia Luke, Chair
House Committee on Finance
Twenty-Eighth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Representative Luke and Members of the Committee:

SUBJECT: SB 1311 SD2 HD1 - Relating to Education

The State Council on Developmental Disabilities (DD) **supports SB 1311 SD2 HD1, with proposed amendments.** This bill exempts a licensed or credentialed practitioner practicing within the practitioner's own recognized scope of practice from licensure and certification requirements; temporarily exempts from the licensing requirements for the practice of behavior analysis, direct support workers who provide autism treatment services pursuant to an Individualized Education Plan; and requires the Department of Education to report to the Legislature on implementing measures to comply with the licensure and certification requirements.

The Council respectfully ask for your consideration to include the following proposed amendment. The proposed amendment was a collaborative effort with the Council, Department of Health (DOH), and the Hawaii Association of Behavior Analysts to address the DOH DD Division's current inadequate workforce to provide necessary behavioral intervention for individuals in the Medicaid Home and Community-Based Section 1915(c) waiver program.

1. Page 3, (3): Add the term "or" after new statutory material for (B) to read, "(B) Is a direct support worker who provides autism treatment services pursuant to an individualized education plan on or before January 1, 2019. For purposes of this paragraph, "direct support worker" means a teacher or paraprofessional who directly implements intervention or assessment plans under supervision and does not design intervention or assessment plans[-]; or"

The Honorable Sylvia Luke
Page 2
March 30, 2016

2. Page 3, (3): Add new statutory material to read, “(C) Is a direct support worker who provides medicaid home and community-based services pursuant to § 1915(c) of the Social Security Act on or before January 1, 2019. For purposes of this paragraph, “direct support worker” means a paraprofessional who directly implements intervention or assessment plans under supervision and does not design intervention or assessment plans.”
3. Page 5, SECTION 5, line 11: Add, the following underscored material, “This Act shall take effect on July 1, [2442] 2016; provided that SECTION 2 shall apply retroactive to January 1, 2016.”

The Council strongly supports the licensing of behavior analysts for the practice of behavior analysis. We appreciate the Legislature’s commitment of this in the passage of Act 199, Session Laws of Hawaii 2015, which requires the licensing of behavior analysts beginning on January 1, 2016. Individuals who receive applied behavior analysis should receive them from qualified providers who are licensed and trained.

However, we are aware as noted above, that DOH does not have an adequate workforce to provide necessary behavioral interventions for individuals in the Medicaid Home and Community Based Section 1915(c) waiver program. With Act 199/2015 taking effect on January 1, 2016, DOH would not be able to meet the requirements of licensing of behavior analysts. The Council is concerned that a disruption in services for individuals who are currently receiving and benefiting from services to address their behavioral intervention plans by unlicensed providers would result in regression of any progress made.

Thank you for the opportunity to submit testimony and for your consideration of the above proposed amendment for SB 1311 SD2 HD1.

Sincerely,



Waynette K.Y. Cabral, MSW
Executive Administrator



Josephine C. Woll
Chair

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 29, 2016 1:29 PM
To: FINTestimony
Cc: louis@hawaiidisabilityrights.org
Subject: Submitted testimony for SB1311 on Mar 30, 2016 14:00PM

SB1311

Submitted on: 3/29/2016

Testimony for FIN on Mar 30, 2016 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Louis Erteschik	Hawaii Disability Rights Center	Comments Only	Yes

Comments: While the HD1 version represents an attempt to improve upon the original version of the bill, we still have great concerns about the underlying purpose, which was to allow the DOE to use potentially unqualified individuals to provide services to children with intellectual disabilities. We we hope that if this measure advances, the legislature will not permit the DOE to provide substandard care for these children.

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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Monday, March 30, 2016

COMMITTEE ON FINANCE

Representative Sylvia Luke, Chair

Representative Scott Y. Nishimoto, Vice Chair

2:00 pm

Conference Room 308

State Capitol

415 South Beretania Street

SUPPORT THE INTENT of SB1311 SD2 HD1-sunset for behavior analyst licensure

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committee,

Thank you for the opportunity to submit testimony today to support **the intent** of SB1311 SD2 HD1. We would like to thank the committees on Health and Consumer Protection & Commerce for their in-depth hearing on 3/21/16 and the details included in their committee report. HABA is willing to support any state department that acts in good faith to support the needs of individuals in their department receiving behavior analysis services and recognizes that departments may need assistance to improve services. At this time, **HABA continues to have significant concerns regarding the current quality of behavior analysis services within the DOE and the lack of actions taken thus far to be in compliance with this law.** We support the intent of HD1, allowing a sunset only for personnel that “implement intervention or assessment plans under supervision and do not design intervention or assessment plans,” but have concern regarding the monitoring and implementation of this sunset to ensure children receive the quality services they need.

Justification: Currently, children in the DOE are not able to access effective behavior analytic services. The deplorable state of special education and the grave concern around a proposed exemption for the DOE has been echoed across the state in hundreds of pieces of testimony submitted by families, educators, and concerned citizens. The DOE has testified in previous hearings that they are working to build capacity, but need time. The department stated during

questions in the last hearing that they are working to train and credential their existing personnel. While we support training and building internal capacity, we have significant concerns that this is the only plan the DOE has put forth, based on the time it will take to build internal capacity and the number of children that will have to continue to wait for the educational services they need. **As of today, there is no tangible evidence that the department has made any effort to be in compliance with this law.** There have been no attempts to recruit licensed behavior analysts or registered behavior technicians (RBTs) and we have not been made aware of any attempts to credential their existing staff as RBTs, despite the fact that this is currently possible in the DOE. There are zero job postings for positions that require competency in behavior analysis as shown in the figure below.

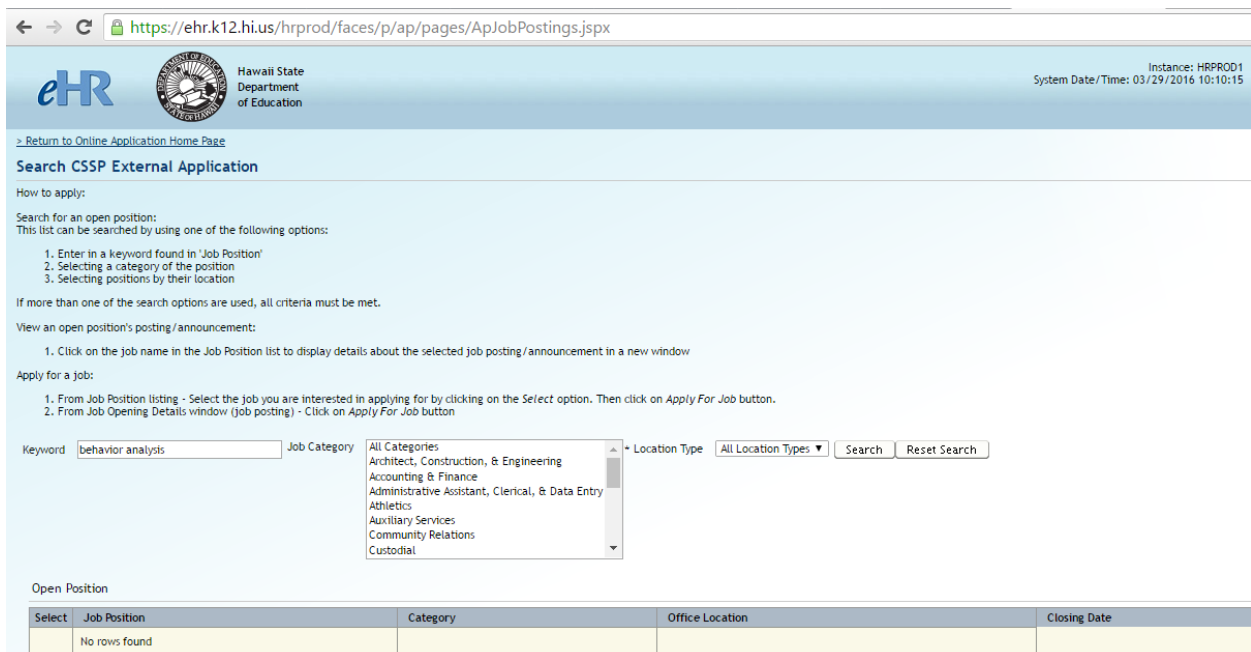


Figure 1. Image of DOE website retrieved 3/29/16 with no results for job postings for behavior analysis.

While there is no evidence of recruiting efforts, there is evidence of changes to contracted DOE services available on the state's procurement website (request for providers or RFPs). Table 1 represents a timeline of events following the passage of Act 199, changes to DOE's RFPs in relation to behavior analytic services (i.e., eliminating applied behavior analysis from contracts and renaming strategies to sound less like behavior analysis) and current legislation regarding an exemption.

Table 1. Timeline of DOE action as it relates to behavior analytic services and RFPs

Event	Timeline
Act 199 took effect	July 1, 2015
DHS QUEST memo for ABA released. Memo states DOE is responsible for ABA <ul style="list-style-type: none"> cc DOE per memo 	Aug. 28, 2015
DOE new RFPs released <ul style="list-style-type: none"> Included “applied behavior analysis” in definition of service 	January 7, 2016
RFP No. F15-099 Paraprofessional Support Services Addendum A <ul style="list-style-type: none"> States licensed behavior analysts cannot supervise paraprofessionals 	Feb. 4, 2016
RFP No. F15-114 Behavioral Intervention Support Services Addendum A <ul style="list-style-type: none"> Removes applied behavior analysis and renames strategies to sound less behavior analytic Excludes individuals with graduate degrees in behavior analysis 	Feb. 4, 2016
Hearing notice HB868 DOE exemption bill	Feb. 5, 2016
EDN hearing on HB868	Feb. 8, 2016
RFP No. F15-099 Paraprofessional Support Services Addendum B	Feb. 9, 2016
Hearing notice SB1311 DOE exemption bill	Feb. 9, 2016
HABA and DOE meet	Feb. 11, 2016
EDU/CPH hearing SB1311	Feb. 12, 2016
RFPs for contracted providers due	March 1, 2016
WAM hearing SB1311 SD1	March 1, 2016
HLT/CPC hearing SB1311 SD2	March 21, 2016
No DOE job postings for behavior analysis	Ongoing - March 29, 2016

As shown below in the figures for anticipated need, the department has also significantly *reduced* the number of contracted hours for behavioral consultation, despite need increasing, but testifies that they do not have internal capacity and need more time, particularly as it relates to licensed behavior analysts who could work under the current DOE contract model for behavioral intervention support services (BISS) services.

Table 2: 2011 BISS RFP Anticipated Hours Needed, by District for Behavioral Intervention Support Services

RFP No. E11-124

Type of Service	Honolulu District	Central District	Leeward District	Windward District	Hawaii District	Maui District	Kauai District
Behavioral Intervention Support Services	18,000	17,863	10,000	6,027	25,000	4,000	6,092
Parent Education/Parent Training	2,300	948	746	90	600	0	900
Education Team Planning	600	10	293	472	35	25	360
Court/Hearing Testimony	15	0	25	6	0	0	0

Table 3: 2016 BISS RFP Anticipated Hours Needed, by District for Behavioral Intervention Support Services

Type of Service	Honolulu District	Central District	Leeward District	Windward District	Hawaii District	Maui District	Kauai District
Behavioral Intervention Support Services	12,600	2,160	7,000	4,200	17,000	2800	4,200
Parent Education/Parent Training	1,150	0	500	360	300	0	450
Education Team Planning	300	0	150	150	230	10	180
Court/Hearing Testimony	7	0	0	3	0	0	0

Current data on need for behavioral supports, as reported in the DOE’s RFPs, states the following:

“D. Description of the target population to be served

In Hawaii, approximately 1,500 students currently require such services. A significant reduction in this number is not anticipated between the release of this RFP and June 30, 2017. However, as the HIDOE builds the personnel capacity to provide this service, the need for contracting for this service may decrease.” (p. 2-2)

Failure to recruit staff that already have the needed competency and credentials in behavior analysis will result in higher costs to the department. We respectfully request that the legislature help support the department to recruit and staff qualified providers immediately and monitor ongoing efforts to build capacity as evidenced by active recruiting and an increasing number of licensed behavior analysts and registered behavior technicians working with students in the DOE, be it internal personnel or contracted staff. **By immediately staffing licensed and credentialed providers for behavior analytic services, DOE has the ability to utilize**

Medicaid dollars through school-based claiming. Money that the department is otherwise failing to utilize, even though there are qualified providers available and children that desperately need the services.

Additionally, HABA has significant concern that **children with autism receiving applied behavior analysis (ABA) services, prescribed by their doctor, paid for by QUEST or their private health insurance, are not able to receive the full support and services they need based on the premise that DOE provides effective ABA services. Current QUEST and health plan guidance state that “the DOE is responsible for providing applied behavior analysis (ABA)” and therefore children may only receive health plan funded ABA “before school, after school, and on days when school is not in session.”** This limitation on services is causing undue harm to children with autism, denying children access to the treatment they desperately need, and creating higher long-term costs to the state. We respectfully request that the legislature assist the Department of Human Services and DOE to address the current shortfalls for children in this state.

Finally, HABA has been collaborating with the Department of Health-Developmental Disabilities Division (DDD) to ensure Developmental Disabilities Medicaid §1915(c) waiver participants have access to needed services. This department has demonstrated through their actions that they are committed to ensuring quality services are provided by trained staff and are working to develop an adequate workforce. At this time, this Department does not have an adequate workforce and therefore needs time to build capacity. HABA supports their intentions to improve services and build capacity and will continue to work with this department to ensure that quality services are provided to Medicaid waiver participants. In collaboration, HABA and DOH-DDD have come to agreement on requested possible amendments to allow the Department time to build capacity for direct support workers to become registered behavior technicians (RBT) with a sunset date of January 1, 2019.

HABA respectfully offers the below possible amendments for further refinement:

SB1311 HD1

SECTION 2. Section 465D-7, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

"(a) This chapter is not intended to restrict the practice of other licensed or credentialed [~~healthcare~~] practitioners practicing within their own recognized scopes of practice and shall not apply to:

(1) An individual working within the scope of practice or duties of another licensed profession that overlaps with the practice of behavior analysis; provided that the person does not purport to be a behavior analyst;

(2) An individual who implements or designs applied behavior analysis services and possesses board certification as an assistant behavior analyst by the Behavior Analyst Certification Board and who practices in accordance with the most recent supervisory and ethical requirements adopted by the Behavior Analyst Certification Board under the direction of a behavior analyst licensed in this State;

(3) An individual who directly implements applied behavior analysis services [~~is~~] and

(A) Is credentialed as a registered behavior technician by the Behavior Analyst Certification Board, and is under the direction of a behavior analyst licensed in this State; or

(B) Is a direct support worker who provides ~~autism treatment~~ services pursuant to an individualized education plan on or before January 1, 2019.; or

(c) Is a direct support worker who provides medicaid home and community-based services pursuant to §1915(c) of the Social Security Act on or before January 1, 2019, who acts under the direction of a behavior analyst licensed in this State.

For purposes of this paragraph, "direct support worker" means a teacher or paraprofessional who directly implements intervention or assessment plans under supervision and does not design intervention or assessment plans.

(4) A family member or legal guardian implementing an applied behavior analysis plan [~~within the home~~] and who acts under the direction of a behavior analyst licensed in this State;

(5) An individual who engages in the practice of behavior analysis with nonhuman or nonpatient clients or consumers including

but not limited to applied animal behaviorists and practitioners of organizational behavior management;

(6) A matriculated graduate student or postdoctoral fellow whose activities are part of a defined behavior analysis program of study, practicum, or intensive practicum; provided that the student's or fellow's activities or practice is directly supervised by a behavior analyst licensed in this State or an instructor in a Behavior Analyst Certification Board-approved course sequence; or

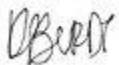
(7) An individual pursuing experience in behavior analysis consistent with the Behavior Analyst Certification Board's experience requirements; provided that the experience is supervised by a behavior analyst licensed in this State."

SECTION 3. The department of education shall submit a report to the legislature prior to the convening of the regular sessions of 2017 and 2018 on its plans and progress in implementing measures to comply with the licensure and certification requirements of chapter 465D, Hawaii Revised Statutes.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2112.

Respectfully submitted,



Kristen Koba-Burd, M.S., BCBA, LBA
President, Hawaii Association for Behavior Analysis (HABA)
president@hawaiiaba.org
Hawaiiaba.org



**AUTISM BEHAVIOR
CONSULTING GROUP, INC.**

www.AutismBehaviorConsulting.com

3/29/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Re: OPPOSITION for SB 1311 SD2, HD1– Relating to Education

Honorable Senators Kidani, Harimoto, Baker, and Committee Members,

My name is Anne Lau. I have been practicing behavior analysis in Hawai'i for the last 12 years. I would like to thank you for the opportunity to testify in OPPOSITION to SB 1311. Due to the fact that the Department of Education has made no changes to conform with state law in the last year they have been given, I see no reason to continue giving them room ignore the needs of their students.

If people are not qualified to provide a service, they should not be providing it. Plain and simple.

For these reasons listed as well as for the safety and protection of our most vulnerable students, I implore you to stop this bill from gaining traction. Please OPPOSE SB 1311.

Thank you again for the opportunity to testify on this important matter,

Anne Lau, M.Ed., BCBA, LBA



Autism Behavior Consulting Group, Inc. / ABC Group

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vs: 10/2012

February 11, 2016

State Capitol
415 South Beretania Street

Re: **STONG OPPOSITION** for SB 1311

Dear Members of the Senate Committee,

My name is Amy Smith Wiech, I am a Doctoral Level Board Certified Behavior Analyst and Licensed Behavior Analyst. I am the Founder of Autism Behavior Consulting Group (ABC Group), a Kama'aina company for over 10 years. I have over 20 years experience in Behavior Analysis. Thank you so much for the opportunity to testify in **STRONG OPPOSITION** of SB1311.

This proposed bill would allow for certain individuals unlicensed in behavior analysis to engage in the practice of behavior analysis (ABA) when done in a public educational setting.

THIS WILL BE AKIN TO ALLOWING SOCIAL WORKERS OR SPEECH PATHOLOGISTS WHO HAVE ATTENDED A ONE-DAY WORKSHOP ON SURGERY TO PERFORM LIFE THREATENING SURGERY ON THE CHILDREN OF HAWAII, INSTEAD OF BUILDING CAPACITY AND TRAINING AND ADEQUATE POOL OF BOARD CERTIFIED SURGEONS IN HAWAII. I personally would not even think of following protocols related to speech pathology or social work because I know that I do not have the requisite credentials, training or experience. The same goes for Behavior Analysis. It is a science that requires years of coursework, training, supervision and examination to meet the minimum standards.

The State of Hawaii just recently passed licensure starting on 1/1/16 for Behavior Analysts (Act 199). We have over 100 Behavior Analysts in Hawaii, and 370 RBT's. This number will keep climbing, and these credentials will provide protection for consumers. Hawaii can build capacity. Let us help!



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The State of Hawaii needs to build a capacity of Behavior Analysts and Registered Behavior Technicians in Special Education and in the field of Health Care not create laws to circumvent licensure. The Behavior Analyst Certification Board (BACB) has established training and experience standards which establish **MINIMUM STANDARDS OF COMPETENCE for Board Certified Behavior Analysts (BCBAs) and Registered Behavior Technicians (RBT) who practice behavior analysis.**

ABC Group is actively working to build capacity for ABA practitioners in our community. ABC Group will be teaching an RBT course at Leeward Community College starting March 7, 2016. This course will enable anyone in our community to access RBT training in order to meet the competency for the RBT credential. In addition, ABC Group is a Florida Institute of Technology (FIT) hybrid site for the Master's degree in Professional Applied Behavior Analysis (ABA) providing the coursework, supervision and experience for professionals to meet the requirements and be eligible to take the BCBA exam.

This dangerous bill presents an issue of consumer protection and safety. We need to protect the children of Hawaii from unlicensed and untrained people who do not possess the requisite credentials or experience within their license from providing ABA treatment to children in Hawaii.

Just the other day, the news reported a boy with autism being reportedly strapped to a chair daily, and withheld food and liquid from him at Koko Head Elementary- these were people who are not licensed in Behavior Analysis, like EAs and Paraprofessionals. At Kipapa Elementary, there were several parents who raised similar concerns a few years ago about their children being fed vomit, and tied to chairs- these again are people who are not licensed in Behavior Analysis, like EAs and Paraprofessionals. We need to protect our children, and putting unlicensed persons in the schools to "do behavior analysis" is egregious. There are untrained EAs, Paraprofessionals, and other staff in schools already doing damage to kids in special education. **Let's raise the bar for our children and for our state.**

DO NOT PASS SENATE BILL 1311! It will lead to more and more costly and litigious due process cases that will continue to burden our state special education system!



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Related Readings:

Behavior Analyst Certification Board (May 2011). *Online Newsletter*. http://bacb.com/wp-content/uploads/2015/07/BACB_Newsletter_05_2011.pdf

Behavior Analyst Certification Board (December 2013). *BACB Newsletter – Special Issue on the RBT Credential*. http://bacb.com/wp-content/uploads/2015/07/BACB_Newsletter_12-13.pdf

Green, G. (August 2011). How to evaluate alternative credentials in behavior analysis. *APBA Reporter*, 31.

Green, G. (October/November 2015). How to evaluate alternative credentials in behavior analysis, Part II. *APBA Reporter*, 55.

Johnston, J. M., Mellichamp, F. H., Shook, G. L., & Carr, J. E. (2014). Determining BACB examination content and standards. *Behavior Analysis in Practice*, 7(1), 3-9.

Shook, G.L., Hartsfield, F., & Hemingway, M. (1995). Essential content for training behavior analysis practitioners. *The Behavior Analyst*, 18, 83-91.

Shook, G. L., Johnston, J. M., & Mellichamp, F. (2004). Determining essential content for applied behavior analyst practitioners. *The Behavior Analyst*, 27, 67-94.

We look forward to maintaining consumer protection for children that will be afforded with the death of this bill. Thank you so much for addressing this important issue for our constituents.

Sincerely,



Amy Smith Wiech, PhD, BCBA-D, LBA
Board Certified Behavior Analyst- Doctoral
Founder /Executive Director



Autism Behavior Consulting Group, Inc. / ABC Group

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vs: 03/01/07

Aloha Legislators,

I think I do not like when people don't know what they are doing help me.

Please make it better for kids!

From,

Luke

Aloha Legislators,

For the last three years my son, Luke, and our family advocated for help for our children of Hawaii, who need support services.

Hearing about this new piece of legislation brought before you has made me feel that my efforts were for nothing. I am writing this to share my opposition to SB1311 SD2.

It is already disappointing that Luke will not be benefitting directly from the bill named after him but to read that this new bill is seeking to disregard licensing requirements for those who provide ABA services, is in my opinion downright irresponsible. It is imperative that licensing requirements be maintained. Public school teachers, even substitutes and paraprofessionals, must meet licensing requirements in order to attain their employment. Failure to meet the licensing standards for teachers/paraprofessionals result in non-employment. The therapeutic services that children with Autism Spectrum Disorder require is specialized. Our children deserve to have licensed professionals who are both knowledgeable and experienced in the services that they are expected to provide. I am writing this from a parents' perspective and have witnessed firsthand and recall being told by others that they do not know what to do when working with children with Autism. I am sure that you all recall the testimony provided by many of the professionals in our community and recognized the importance of requiring licensure. I continue to have faith that all of you will strive for the best for our children. I have spoken to many of you individually and I know that you share this belief. Please, continue to support your constituents and strike down this irresponsible bill that, if considered, will most definitely cause harm and the possibility of another long, expensive, class action lawsuit.

With Deepest Appreciation,

Gerilyn Pinnow, M.Ed.

Wednesday, March 30, 2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 PM
Conference Room 308
State Capitol
415 South Beretania Street

OPPOSITON to SB1311 SD2

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My name is Johanna Taylor and I provide support to children with autism and their families in Hawaii. I am a Maui resident. **I am in strong opposition of SB1311 SD2, HD1.** There are several key reasons why this bill should not move forward:

- The Department of Education's recently released Special Education Performance Report shows that children in Hawaii are falling further and further behind. The proficiency scores, graduation rates, and time spent with general education students, and early childhood transitions demonstrate that the DOE has failed to meet expectations and data show slippage overall. The Department of Education has reported that they do not have enough qualified teachers. No matter the setting (school, home, community) children with autism should have the right to access appropriate treatment from trained individuals. Qualified individuals are needed to deliver ABA services so that improvements can be made. As a neighbor island resident we have an even greater shortage of licensed, qualified educators in the schools; therefore, the consumer protection that Act 199 provides is even more important.
- The recent Requests for Providers (RFP) for contracted BISS and paraprofessional services were changed to decrease the quality of services that children receive. This is unfortunate and lack of trained providers will only add to a decrease in the quality of services.
- It is very clear that across the state teachers and educational assistants are asking for assistance – they are saying that they are not qualified to provide behavior analysis, yet the DOE is attempting to find a loophole to exempt themselves from ensuring quality by changing the licensure law.

- QUEST and commercial insurance plans will not cover ABA for children in the DOE because the “DOE provides ABA” yet the DOE does not have licensed, trained and qualified providers so children are not receiving the help they need.

The passing of this law is unrighteous for the future of keiki in Hawaii. Please **OPPOSE SB1311 SD2, HD1.**

A handwritten signature in cursive script, appearing to read "Johanna Taylor".

Johanna Taylor, PhD, BCBA, LBA #10

From: mailinglist@capitol.hawaii.gov
Sent: Monday, March 28, 2016 9:41 PM
To: FINTestimony
Cc: cebisui@yahoo.com
Subject: *Submitted testimony for SB1311 on Mar 30, 2016 14:00PM*

SB1311

Submitted on: 3/28/2016

Testimony for FIN on Mar 30, 2016 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Cheryl Ebisui	Individual	Oppose	No

Comments:

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Jessie Mitchell, MA, BCBA
Mitchell's Behavioral Services
March 28, 2016

Relating to Education
OPPOSITION TO SB1311 SD2 HD1

The question of whether “money matters” has been the subject of contentious debate for decades. **FACT:** the cost of education for a child with disabilities can be double the amount needed for a child without disabilities. It is expensive to education a child with special needs with useful services or inadequate services; inadequate services take longer and cost more. Continuing as is, promotes the teacher burn out cycle, which cost money. Bring more support into the classroom setting, will save the state money in the long run.

Section 1 – Applied Behavior Analysis is not for Autism ONLY!

The state education department does not have a job description for Applied Behavior Analyst. If they create a position and post openings, the workforce will be adequate. Currently, Behavior Analyst, who are not teachers, have no means of working for the State of Hawaii, Department of Education. Behavior Analysts have been working in the DOE setting as contractors for years as there is no appropriate job for them within the system.

Behavior Analysts deliver services in a tiered system. The tiered system is more cost efficient than using contractors or teacher, to provide services.

The delivery of quality applied behavior analysis (ABA) is a proven treatment for autism and many other behavioral disorders that interfere with learning and safety [1,2]. Scott Myers reported in the Journal of Pediatrics (2007), "The effectiveness of an ABA-based intervention in ASDs has been well documented through 5 decades of research by using the single-subject methodology and in controlled studies of comprehensive early intensive behavioral intervention programs in university and community settings. Children who receive early intensive behavioral treatment have been shown to make substantial, sustained gains in IQ, language, academic performance, and adaptive behavior as well as some measures of social behavior, and their outcomes have been significantly better than those of children in control groups" [3].

Applied Behavior Analysis is NOT a pill or machine, like Occupational Therapy, Speech Language Pathology, Physical Therapy, and Teaching, it is **a craft that takes extensive knowledge and skill to deliver efficiently.** Certificated behavior analysts are qualified to provide services to clients with a variety of needs, including improvements in organizational functioning (e.g., staff performance, management and pay structure interventions), skill deficits (e.g., communication, adaptive behavior), and problem behavior (e.g., aggression, self-injurious behavior), among others. There is an international certification process to be a Broad Certificated Behavior Analyst [6].

There needs to be credentialed providers, delivering qualified services to obtain the benefits of ABA. **When lay persons attempt to use ABA, particularly with special needs**

children, they almost invariably make errors; even highly experienced mental health professionals, qualified in many ways, make fundamental mistakes. Teachers and related service providers are required to hold certification in their field of expertise. The purpose of the IDEA is to ensure that all children with disabilities have available to them a free appropriate education that emphasizes special education and related services designed to meet their unique needs" and "to ensure that educators and parents have the **necessary tools to improve educational results** for children with disabilities.

As we saw at the start of the Felix Consent Decree, increased recognition of the practice of ABA is an influx of individuals seeking to prosper from this opportunity who may have **little or no training or experience in ABA – placing both the consumers of their services and the field at large at risk** [5].

Teachers are already overworked; this bill is not going to help teachers in the classroom. Hawaii doesn't just have a shortage of special education teachers that are licensed and highly qualified, Mulcahy said, the state also has a lack of teachers with specialized licenses in areas like autism [7]. At the same time that some schools are understaffed, special education teachers are facing an increase in paperwork for the IEPs and federal reporting, and more internal data requirements, said Jessica Wong-Sumida, executive director of the Autism Society of Hawaii. That all places additional demands on their time [7].

Reference:

1. Autism Spectrum Disorders Pervasive Developmental Disorders, NIH Publication No. 08-5511, 2008 <http://www.nimh.nih.gov/health/publications/autism/nimhautismspectrum.pdf>
2. Educating Children with Autism, Committee on Educational Interventions for Children with Autism, National Research Council, ISBN: 0-309-51278-6, 2001 <http://www.nap.edu/catalog/10017.html>
3. Scott M. Myers, MD, Management of Children With Autism Spectrum Disorders, Pediatrics, 2007 <http://pediatrics.aappublications.org/cgi/reprint/120/5/1162>
4. This document summarizes medical and scientific evidence for the effectiveness of applied behavior analysis (ABA) as a treatment for autism spectrum disorder.
<https://olis.leg.state.or.us/liz/2013R1/Downloads/CommitteeMeetingDocument/13979>
5. Dorsey, M. F., Weinberg, M., Zane, T., & Guidi, M. M. (2009). The Case for Licensure of Applied Behavior Analysts. *Behavior Analysis in Practice*, 2(1), 53–58
<http://www.ncbi.nlm.nih.gov/pmc/articles/PMC2854065/>
6. http://bacb.com/wp-content/uploads/2015/07/ABA_Guidelines_for_ASD.pdf
7. <http://www.civilbeat.com/2015/08/special-education-is-backsliding-in-hawaii-teachers-and-advocates-say/>

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am writing to firmly oppose SB1311. I have an autistic child who has been in school age for 4 years. He was in a FSC classroom for two years with very little progress and gains. In fact, his learning was so ineffective that undesirable behaviors surfaced and he threw horrible tantrums. He made very little progress in speech, and no progress with his OT program. The most recent two years has been spent in with oversight from a BCBA with experience in autism and my child is emerging, communicating and learning. My child is acquiring skills to help himself navigate the world around him. He has the potential to be a fully functional and independant, contributing member of society. My child deserves an appropriate education that maximizes their potential and having licensed behavior analysts in the school's is essential and important for our children to thrive.

Thank you,

Gabrielle Valdes

Honolulu, HI

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

The DOE needs to be responsible for the lives of our Keiki. Their services are not adequate and are consistently depleting in efficiency and in frequency. Insurance companies are monitoring and counting the hours a child with Autism has in school as serviced hours, therefore reducing the needed ABA hours a child receives after school. Allowing the DOE to label their services ABA or to somehow circumvent the system throws the balance of services off significantly. Our Keiki need adequate services and ABA is the only service that proves to do so. Do not allow any untrained personnel to service our children diagnosed with Autism. There isn't enough time to teach them correctly the first time around, let alone trying to unteach the inappropriate and devistating lessons an untrained person will teach them without an appropriate ABA background and then teach them again. The DOE needs to catch up and get trained/certified/licensed professionals to do the job, not drag the state, it's people, and it's children's expectations and standards down with them. Please hold them to the standards that we as a state have already set to ensure proper education and proper help for our Keiki and their families. It's your family too.

Thank you,

Fred Yuen
Honolulu, HI

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

We strongly oppose this bill. Our child has been inappropriately provided behavior analysis principles/strategies in her school setting by non-licensed non-trained staff and contracted behavior support personnel that are not licensed or adequately trained in the principles of ABA. The direct result of this has been an increase in negative behaviors, frustration and inadequate progress as per her individualized learning needs. Behavioral analysis is a support that can only be provided by highly skilled and trained professionals and cannot be one size fits all. Our teachers and school staff are not intensively trained to provide this type of support and it will have disastrous results if it is implemented in the way that this bill would allow. Please protect our children and assure that they will be provided ABA from only licensed and highly qualified professionals.

Thank you,

Maureen McComas
Honolulu, HI

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

1 in 68 children have autism. Research has proven over and over (see CDC, and NIH) that heir best chance to become productive adults is with ABA interventions from providers. My experience with my Child in DOE is that support staff in the class are not qualified, and change frequently. This causes more problems than it helps.

Thank you,

Lisa Tostenson
Keaau, HI

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Aloha, I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki. Sincerely, Derek Wilson Registered Behavioral Therapist Maui, Hawaii

Thank you,

Derek Wilson
Kihei, HI

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I feel that Maui's Keiki need as much support as possible. Having access to BCBAs and ABA as whole will increase their chances for a better future. Comprehensive behavioral analysis will move service in the proper direction at a faster pace then without.

Thank you,

Marshall Gallen
Kihei, HI

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Maintaining a high quality service for the children of hawaii is critical to ensure this vulnerable population is protected and provided services by qualified providers. Exempting DOE personal from this requirement will absolutely reduce the quality of service provided to these children. I OPPOSE this bill.

Mahalo,

Dr. Karen Tyson
Pearly City, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I work in the healthcare field. These children need qualified providers to help them make the most of their world! I OPPOSE this bill.

Mahalo,

Michael Looney
Kihei, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am a paraprofessional tutor at Queen Ka'ahumanu Elementary School and the mother of a 16 year old daughter with Asperger's Syndrome who goes to Roosevelt High School. My daughter is privileged to work with an Applied Behavior Analyst professional. Because of my unique situation, I see the difference between ABA certified people and all other DOE staff, and there simply is no comparison. In fact, some DOE staff will do damage if they were to work with students with Autism spectrum disorders (ASD). I urge you to oppose HB868 and SB1311 and enable our ASD children to be treated by ABA professionals. A large majority of students will improve by leaps and bounds, Please don't let them go back to status quo with inadequate DOE mishmash Russian roulettes. Thank you.

Mahalo,

Emily Chun
Honolulu, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I feel the reason for this bill is to keep the money within the DOE and state even though as educators they are in their positions to educate the young of the state. If the DOE educated their workers not only in their job description but on the reason why they decided to become educators then I don't think this bill would even be discussed. it's all about they money. that's all im saying. I OPPOSE this bill.

Mahalo,

Shawn Cruel
Kahului, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Mahalo,

William Burgos
Kailua, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Students in the DOE deserve licensed, highly trained, and qualified behavior analysts to provide oversight, teach, and implement ABA treatment correctly or there is the potential to cause serious harm by individuals who do not know what they are doing. I **OPPOSE** this bill.

Mahalo,

Kaui Enomoto
Honolulu, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I've witnessed and heard too many horror stories of unqualified skills trainers working with our most vulnerable keiki, including focusing on their cell phones and not observing their student to the point where the student is in danger. The federal IDEA Act requires that all keiki receive appropriate and equal access to the education they need from qualified individuals. If the IEP states that ABA is needed then a qualified professional needs to administer it. And, keeping ABA off IEPs must be illegal, but if not it is certainly unethical. HB868 and SB1311 undermine the IDEA Act and seem like a dirty way to take funds away from education. Shouldn't we be investing in the future of our keiki? I **OPPOSE** this bill.

Mahalo,

Rachel Hudes
Honolulu, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Board Certified Behavior Analysts, like myself, go through rigorous schooling and training in the field of Applied Behavior Analysis prior to becoming licensed professionals. It would be a huge detriment to the special needs population if non-licensed individuals were allowed to run ABA programs in the educational setting. It is imperative that the standards of practicing ABA be upheld in order to ensure that individuals with special needs receive the highest quality of services from trained professionals. I **OPPOSE** this bill.

Mahalo,

Gemma Gieszl
Oahu, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. Our special needs children deserve nothing less than educated professionals to give them the best future possible. I **OPPOSE** this bill.

Mahalo,

Christine Petty

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am an adult with autism. Beau is my licensed behavior consultant. My schools didn't know how to deal with my behaviors. Don, Beau, and Kim helped my teachers to keep me in my classes. Without Don, Beau, and Kim's help, I would not be where I am today in the community. My autism can not be cured. I am glad Beau is still with me. He said I can phone or text him any time I have a problem. Beau knows how to help me. I am an adult now and the kids still going to school will have a bad time if the DOE doesn't have somebody like Beau to help them. Please help kids still in school to get the same help I had by opposing Act 199(15).

Mahalo,

Gabriel Vista
Pukalani, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I STRONGLY oppose the Department of Education (DOE) seeking exemption and amending Act 199(15). This law took effect January 2016, just over a month ago. What kind of effort is that, DOE! My child had a licensed board certified behavior analyst as part of his individualized educational program (IEP) team while in school and it made a whole lot of difference!! Today, he is a contributing adult in the community and continues to have a licensed board certified behavior analyst on his team. This past week's news included two disturbing news: 1) a Koko Head Elementary student with autism was allegedly tied to a chair. Likely due to untrained, unsupervised staff who didn't know how to implement a behavior plan. It sounded like it was easier for them to just tie him up; and 2) an audit found the DOE lacking in educating students in inclusion because they don't know what to do it??? Oh, my gosh! The DOE asking for exemption is like a janitor teaching students at school (which by the way happened at one of my child's schools ... as told to me by ... the janitor, who was unlocking the classroom door with a key from several on a ring and to this day, I still hear the jangling of keys!). Was this janitor exempt from licensing to teach? A board certified behavior analyst expertise is behavior. DOE's expertise is education. Without the help from licensed board certified behavior analyst (as part of students' IEP team) to deal with behavioral problems, the students and DOE staff will have great difficulty educating. This sounds very much like the pre-Felix Consent Decree. We don't want the passage of this bill to lean towards another lengthy class action suit ... do we? NO. I STRONGLY urge you to OPPOSE this bill.

C. A. Vista
Pukalani, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am the mother of two special needs children. One has graduated and left the DOE system and another is just beginning. I fought hard for my son to have services to assist him with his autism. These services included a board certified behavior analyst. I could not have done it without them. My son is a head-banger. Only licensed, qualified, behavior analysts have any idea how to help my son. My son's autism has caused him to hit his head so hard it opened gashes. It is comical to think someone without a license could possibly handle that. I am scared for my daughter to not have access to qualified service. Please oppose this bill.

Mahalo,

Serena Freitas
Paia, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Mahalo,

Bernadine Ranger
Paia, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Mahalo,

Robert Williams
Maui, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am a concerned grandmother of two Autistic grandsons (brothers). Now I see that all special needs children are my children too and that we all should not be denied professionals that are trained and available to serve in their capacity and in our community.

Mahalo,

Jolie Kaae
Paauilo, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

The Department of Education should not be allowed to practice behavior analysis without licensed behavior analysts. I oppose this bill.

Mahalo,

Daniel Hernandez
Kihei, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I currently work with "special needs" children, have for around 10 yrs now, and babysitters we are not. These children need trained, qualified providers to have any chance at a somewhat "normal" life. Providers need to be trained in CPI, CPR, First Aid, as well as an education and experience. Please, these children deserve so much, give them a fighting chance. I OPPOSE this bill.

Mahalo,

Laura Rogers
Kihei, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

The Department of Education should not be allowed an exemption to previous legislation of the licensure of behavior analysis. I OPPOSE this bill.

Mahalo,

Pen Rens
Kahului, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

The Department of Education should not be allowed an exemption to previous legislation of the licensure of behavior analysis. I OPPOSE this bill.

Mahalo,

Pepe Paleafei
Kahului, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I strongly believe that our kids with special needs deserve the proper help and guidance they get from a ABA licensed individual. I **OPPOSE** this bill.

Mahalo,

Tracy Mulholland
Kihei, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Mahalo,

Kennedy Souza
Kahului, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Mahalo,

Jessica Rothstein

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Today you need to be certified in your field of work weather it's an electrician to a hair stylist down to a massage therapist! certification through the state of Hawaii is mandatory if your in this field of work would they rather have uncertified not trained workers to take care of our keikis! I OPPOSE this bill.

Mahalo,

Kimi Kualani
Hana, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Department of Education should not be allowed an exemption to previous legislation of the licensure of behavior analysis. This would be a great disservice to ALL individuals with special needs. I OPPOSE this bill.

Mahalo,

Luke Holifield
Kihei, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I worked in the State of Hawaii public school system for three years. I have worked in Special Education for over a decade, specifically with the population that benefits the most from applied behavior analysis. The skill set of a DOE behavior instructional support person and the skill set of a licensed board certified behavior analyst is similar to someone who enjoys babysitting children versus someone that has been certified or licensed in education.

Mahalo,

Leann Campbell
Oahu, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Last year it was determined that licensure was necessary to ensure that behavior analytic programs are designed and implemented by qualified individuals. In order to become a licensed behavior analyst in the state of Hawaii one must become certified by the Behavior Analyst Certification Board by meeting these requirements: 1. Hold a master's degree in the field of applied behavior analysis, education, or psychology. 2. Complete 270 classroom hours of graduate-level instruction from specific content areas from an accredited institution. 3. Gain experience under the supervision of a Board Certified Behavior Analyst through either supervised independent field work (1500 hours), a practicum (1000 hours) or an intensive practicum (750 hours). 4. Pass the Behavior Analyst Certification Board Exam. At public school campuses, there are students with developmental disabilities and problem behaviors that require the use of applied behavior analysis in order to remain in their least restrictive environment and access meaningful education with their peers. In my experience working on public education campuses with students with special needs, efforts to implement applied behavior analysis by untrained individuals are usually ineffective and/or harmful. Techniques that may seem simple to a lay person are actually quite complicated and require constant adjustments based on the individual and their progress. When determining the requirements for certification and licensure, experts agreed on the level of education and experience needed to develop the necessary skill set to provide

behavior analysis services. There are teachers, paraprofessionals, and even many school behavioral health specialists that do not meet the requirements to legally provide applied behavior analysis. Paraprofessionals often have no training requirements prior to beginning work and spend more time with their student than any other school employee. They usually do not receive any training in behavior analysis. Without training and supervision from a behavior analyst, the behavior support plan is often abandoned in favor of ineffective reprimands and threats resulting in frustration to the student, teacher, and paraprofessional. Why should the requirements to practice behavior analysis be completely disregarded in the most important environment that reaches the majority of Hawaii's children? Public schools should adhere to the same requirements as any other practicing individual to fulfill their ethical responsibility to provide effective evidence-based interventions to their students.

Mahalo,

Brynn Gute
Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am a licensed special education teacher. As so, I had to complete a specific course of studies. People who earn degrees in behavior analysis learn skills and how to work with certain children that I did not learn. I have worked cooperatively with board certified behavior analysts for years. Without them I would be doing a disservice to my students. The Department of Education should not be given an exemption to Act 199.

Mahalo,

Ryan Kerr
Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I have two autistic children receiving school services. It is vital to their educational opportunity that they receive behavioral and counseling services from fully-trained and licensed professionals. Just as I would not want them to be taught math from a teacher who did not have the necessary credentials in math, we need to adhere to best practices in staffing counseling and behavioral positions. We also want to support their teachers and staff by ensuring that they receive necessary training. What's best for our keiki is best for their teachers, and vice-versa.

Mahalo,

Shana Brown

Kailua, HI

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Anne Benoit

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am submitting testimony in strong opposition of HB868 (SB1311). Our child currently in her DOE school setting has a clinical psychologist and not a licensed BCBA attempting to provide behavioral analysis as a contracted BISS. She is implementing ABA therapy principles that have created heartbreaking self-injurious behaviors in our child and emotional trauma by implementing methodologies she is not trained or licensed to implement. What she is implementing is not addressing our childs behavioral issues in the school setting and in fact has made them worse. These behaviors are impeding her learning process. ABA principles should not ever be implemented by a non-licensed BISS and this is a perfect example of why. It will now take months to repair the damage that these inappropriately implemented methodologies has caused to our child. We strongly OPPOSE the passing of this bill.

Mahalo,

Maureen McComas

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I believe our children need and deserve licensed, trained, qualified professionals in our schools. All children who receive ABA have rights and should be protected. I **OPPOSE** this bill.

Mahalo,

Renee Theus
Waipahu, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

In regards to the proposed bills, HB868 and SB1311, the very idea that any unqualified individual would be allowed to educate and work with special needs children: I am appalled that such an idea would gain any traction. Special needs children, from learning disorders like dyslexia to the autism spectrum all require intensive education from licensed and dedicated professionals. The very notion that we would grant these children to individuals who have neither the expertise nor knowledge, to instruct and be expected to give the student every opportunity to grow is beyond asinine. Legislatures, this bill is denying the guarantee of proper education to the students who will need it the most, and it is, above all, immoral and obtuse. I pray you think twice before propelling these bills any further.

Warmest regards,

Gary Hall Jr.
Kiehi, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Mahalo,

Roxann Malubay
Kaunakakai, Hawaii

03/30/2016
Committee on Finance
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
2:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Children deserve care from trained professionals. It is not fair to the children or teachers to ask teachers to perform duties they aren't trained for. I OPPOSE this bill.

Mahalo,

Corey Wolff
Haleiwa, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am a registered nurse who works with clients with special needs. This vulnerable population needs people who have been specifically trained in Certified Behavior Analysis. I work with BCBA and have observed how valuable they are to this population.

Mahalo,

Katie Short

Wailuku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

It is important that we provide our keiki with as close to a guarantee of high quality services, which is what a licensed Board Certified Behavior Analyst offers. Without such guarantees, it is unclear the extent to which our students will benefit from supposed Behavior Analytic services. In fact, without the expertise, harm may be done. I am a Board Certified Behavior Analyst who worked for the Hawaii DOE for over 10 years, up to 6 months ago. I can tell you that there are students who are not learning, who are in overly restrictive placements, who have expensive one-on-one paraprofessional services that are not needed. Please do not pass this bill!

Mahalo,

Ruth Balliner

Kula, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I have a teaching license. I worked for six years to earn this license. I would take offense to anyone coming in an saying they can do what I do without having the same qualifications. Behavior analysts should be given the same respect for their field of expertise. The DOE should not be granted an exemption to practice behavior analysis without a license. I oppose this bill.

Mahalo,

Phil Bocher
Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am a young man with autism. I received services from a board certified behavior analyst. Now board certified behavior analysts are licensed. All kids should have licensed behavior analysts.

Mahalo,

Joshua Feig
Wailuku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

There are many very qualified professionals working in this field with our children and this bill would eliminate many of them and especially impact the neighbor islands with fewer personnel. Our children need these experienced workers. Please do not pass this very limiting bill to curtail current services which barely meet the need.

Mahalo,

Collen O'Shea Wallace, BS, MPH, CFLE

Makawao, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Whoever submitted this bill has no experience with ABA. We want the children of Hawaii to become contributors to society. We can't do that by putting a band aid on behavior by catering to their wants instead of their needs. Allowing them to get what they want by displaying inappropriate behavior. Of course this is not due to odd. Some children don't have the skill needed to verbalize what they need. And that is where ABA comes in. It's not something that can be done trivial one time training. Constant taking in knowledge regarding ABA is needed as well as supervision and their training is all needed fo a successful learner. It is a process, not to be taken lightly and definitely not for ANYONE. Show our children that we value them today by not passing this bill, so they can have the brightest future possible tomorrow .

Mahalo,

Corinna Aquino

Mililani, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I have been an educational assistant. I have been one for many years. Applied behavior analysis has helped many students. It is important that this newly licensed profession be given the same respect as all licensed professions in our State. The DOE should not be given an exemption to practice behavior analysis in public school settings.

Mahalo,

Gailen Hadley
Lahaina, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Don't make the same mistakes as in the past! PLEASE

Mahalo,

Daniel Coleman

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

It's super important for our keiki to receive adequate services from licensed professionals.

Mahalo,

Cherlyn Tamura

Kapolei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

My son gets ABA services through DOE. She is a licensed ABA provider. This is a very vital service for my son & after 7 years, we've seen huge strides in his behavior from being a very aggressive young boy to a now thriving young teen who's on track to go to college. We don't want someone who's not qualified to help him. Taking away licensed & qualified persons is the same as getting heart surgery but instead of the surgeon, you get a candy striper to do surgery.

Mahalo,

Jack Losefa

Waipahu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

As a parent of a child with Autism I believ that Department of Education should not be allowed an exemption to previous legislation of the licensure of behavior analysis.

Mahalo,

Angela Reichert

Kula, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,
I **STRONGLY oppose** the Department of Education (DOE) seeking exemption and amending Act 199(15). This law took effect January 2016, just over a month ago. What kind of effort is that, DOE! My child had a licensed board certified behavior analyst as part of his individualized educational program (IEP) team while in school and it made a whole lot of difference!! Today, he is a contributing adult in the community and continues to have a licensed board certified behavior analyst on his team. This past week's news included two disturbing news: 1) a Koko Head Elementary student with autism was allegedly tied to a chair. Likely due to untrained, unsupervised staff who didn't know how to implement a behavior plan. It sounded like it was easier for them to just tie him up; and 2) an audit found the DOE lacking in educating students in inclusion because they don't know what to do it??? Oh, my gosh! The DOE asking for exemption is like a janitor teaching students at school (which by the way happened at one of my child's schools ... as told to me by ... the janitor, who was unlocking the classroom door with a key from several on a ring and to this day, I still hear the jangling of keys!). Was this janitor exempt from licensing to teach? A board certified behavior analyst expertise is behavior. DOE's expertise is education. Without the help from licensed board certified behavior analyst (as part of students' IEP team) to deal with behavioral problems, the students and DOE staff will have great difficulty educating. This sounds very much like the pre-Felix Consent Decree. We don't want the passage of this bill to lean towards

another lengthy class action suit ... do we? NO. I STRONGLY urge you to OPPOSE this bill.

Mahalo,

C.A. Vista

Pukalani, HI

03/30/2016
COMMITTEE ON FINANCE

Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

My name is Kriste Draper and I have a son with autism. When you have cancer you see a licensed oncologist. When you need physical therapy, you go see a licensed physical therapist. The reason we have licensure requirements for professionals that provide medical and therapeutic care is because we want to ensure a standard of care for ourselves and our loved ones. The reason Applied Behavior Analysis, lawyers, medical doctors, psychologists, physical therapists, dentists and countless other professions all have licensure requirements is because we have identified these professions as requiring a specialized skill set, requiring specialized training. This training ensures a certain level of care and expertise. Just this past year, you, the Hawaii Legislature, determined that Applied Behavior Analysis was a profession that required a license. You did this because you know, as I know as a parent, that Applied Behavior Analysis is a method of treatment that requires specialized training and skill. ABA is NOT something that can be done by anyone. I am disappointed that the DOE would even suggest that a teacher with a bachelor's in education is qualified in applied behavior analysis. I looked up the University of Hawaii School of Education curriculum and there is NOT ONE SINGLE COURSE REQUIRED in Applied Behavior Analysis to get your bachelor degree in education. Even the Master's in Special Education DOES NOT

REQUIRE ONE SINGLE COURSE IN APPLIED BEHAVIOR ANALYSIS. My child deserves to receive his Applied Behavior Analysis Therapy from an actual Applied Behavior Analyst. Just as every child has a right to receive their medical care from a licensed medical provider. This is no different and shame on the DOE for trying to save money at the expense of the health and welfare of my son. My hands shake as I type this, this is how strongly I feel about my opposition of this bill. Just last year Hawaii recognized the need to license our ABA providers to protect consumers from fraudulent individuals claiming to offer ABA therapy. Do not allow the DOE to become a fraudulent provider. If the DOE wants to provide ABA therapy for its students then the DOE needs to have an actual LICENSED Behavior Analyst provide the therapy.

Very Respectfully,

Kriste Draper

kristedraپر@hotmail.com

Salt Lake, 96818

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

My son is special special needs and I personally don't want some random unlicensed person working with my son who has no idea what they are doing or have no experience. What will my son learn from that unqualified person? Will he accomplish anything from them? No he won't. They might even get hurt if they don't know what they are doing or what kind of client they are dealing with. I work with special needs kids and I've seen many unlicensed people come and go with other companies because they end up getting hurt or something more. Please as a mother with a chided that has special needs please don't pass this bill. Only licensed people should be able to work with these kids/adults

Mahalo,

Danielle Talon

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

What a disservice we would do to our students who need high quality services by trained professionals, if we are to give the task of doing ABA to anyone otherwise.

Mahalo,

Courtney Azoulay

Haiku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

ABA services should only be provided by licensed professionals. This bill only attempts to reduce the quality of services to those who need care most.

Mahalo,

Julia Cantrick

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Children have the right to receive high quality services from licensed, trained and qualified professionals. ABA is not soemthing that anyone can just do! People need to be trained to deliver quality ABA services to our keiki.

Mahalo,

Janelle Vilitski

Wailuku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I oppose this bill. The DOE should not receive a legislation exemption.

Mahalo,

JennyLee Nakamura
Makawao, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. I believe that it is our responsibility to ensure our keiki not only have access to applied behavior analysis but that the evidence based service that we know is medically necessary is provided by licensed, qualified, and certified professionals.

Mahalo,

Eliza Lipp

Wailuku HI 96793

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Michelle Chait

03/30/2016

COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

We have a daughter who is now 16 and at Roosevelt HS in special ed. She has asperger. ABA helps our daughter, we have seen it first-hand. It is the only approach that we have seen that is effective. It does however, require a professional skilled in ABA. For example even our daughter's neurologist at Shriners's Hospital on Punahou would not be qualified or appropriate for ABA.

Mahalo,

Calvert and Emily Chun

Honolulu, HI

03/30/2016

COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

As a special educator with a PhD in Education, with an emphasis in Exceptionalities, I understand the importance of having a licensed, trained behavior analyst implement, monitor, and evaluate the ABA educational programs for students with autism and severe behavioral disorders. I have extensive experience teaching children ages 4-18 with autism and with severe behavioral disorders. The importance of having ABA programs developed for these students by licensed, trained providers cannot be stressed enough. I personally taught students whose parents sued the DOE for licensed ABA therapists to develop their children's IEPs, and WON because the DOE didn't have anyone who could do that here. Instead of building capacity here and getting DOE people licensed and trained, the DOE paid for service providers from California to come here and do this for my students. The DOE has been using local agencies who have been trained and certified and these students can now receive appropriate services and supports here in Hawaii without the State having to pay companies from the mainland to do it for us. The DOE, and therefore the state, will be leaving itself open to thousands of upcoming lawsuits in the future for parents whose students deserve an IEP developed with the appropriately trained and certified personnel if this bill is passed. The thousands of teachers and students who need these specifically trained personnel to teach students with autism and severe behavior disorders will also be loosing out

because they will not have the support of people who know applied behavior analysis and how to create effective ABA programs.

Mahalo,

Phaedra Ranges, Ph.D

Kailua, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Our DOE does not have the internal expertise to help a group of children who will have much improved outcomes with an ABA approach to their education and remediation.

Mahalo,

Alfred M. Arensdorf, M.D.

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Staci Fujimoto
Honolulu, HI

03/30/2016

COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I oppose this bill because a law was put in place to protect children in all settings to ensure they are receiving appropriate services from qualified and LICENSED professionals. Opening up opportunities for untrained people to provide services that they have not been credentialed to do so nor provide adequate supervision is irresponsible and dangerous to our community. Take for example the local school that is being investigated for tying down a preschooler. Is this what we want happening in our schools? We need qualified, liscenced professionals implementing and overseeing ABA services in all settings- as the law states. The DOE should not be an exception to a law that is in place to protect our children. It should be the leading example and held to the same standards as all services providers.

Mahalo,

Ashley Hogan

Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Tracy Ruggiero

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. I interact with children as a coach on Maui through cross fit classes. It is important for individuals to be certified, licensed, qualified, and receive ongoing training and specialize in the service they are providing. It is extremely important that we do not allow anyone to provide applied behavior analysis to our keiki in Hawaii!! Please help to make sure this bill does not go through and that our keiki have licensed, trained, and qualified professionals in the school. Please, think about our keiki!

Mahalo,

Adam Studzinski

Wailuku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. Every child deserves to have a professional certification when implementing ABA. Those who do my know the full and true meaning of behavior analysis can actually do more damage the child's learning and well-being.

Mahalo,

Andrea Alesi

Hilo, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am a Licensed Behavior Analyst and I strongly believe that it is unethical to allow untrained, non-licensed individuals provide Applied Behavior Analysis (ABA) in the public school system. Children have the right to receive ABA from highly trained, competent providers. I oppose HB868.

Mahalo,

Amanda Lipinski

Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Marni Dick

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. As a parent of Autistic kids and a professional in the field I wouldn't want my kids or anyone else's providing services without the necessary qualifications and training.

Mahalo,

Ember Whisler

Mililani, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

It is imperative that children in Hawaii who receive behavioral analyst services, no matter what the domain, receive quality care from licensed, trained professionals. Hawaii should not allow unlicensed individuals to provide this level of care in the school setting.

Mahalo,

Stacy Kuhn
Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Laura Lipp

Wailuku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. Autistic children have the right to be treated humanely. My sister is an expert and works with autistic children in California. The stories coming out of Hawaii are a repulsive and prove some of our stereotypes to the mainland. It's shameful and embarrassing. Let's show that we are the loving community we claim to be. Aloha (does it mean anything to autistic children)

Mahalo,

Michelle Miyaki

Kahului, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. Behavior Analysis is important for our Special needs children. I feel it is unfair to exempt our State from this law.

Mahalo,

Barbara Puu-Koomoa

Makawao, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. I work with children and young adults in HI practicing ABA which has brought so many helpful changes to them and their families. It would be wrong to deny other families that could benefit from ABA. It has proven effective and will continue to do so unless an unjust bill like this is passed. This is why I am opposed to the bill.

Mahalo,

Austin Stringfellow

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Our keiki deserve the best services to give them a chance to succeed in life. Not only do the children need the support but their families as well. I have seen first-hand what impact licensed and trained professionals can have within the school district.

Mahalo,

Rhenna Campbell

Waiehu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. The Department of Education should not be allowed an exemption to previous legislation of the licensure of behavior analysis.

Mahalo,

Tiana Mose

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. I work with a special needs for almost 10 years in Maui, and I am a Registered Behavior Technician and a Certified Prevention Intervention, trained by BCBA, gone thru a lot of test about Physical and Mental disabilities. And still continue my endeavor working and helping people with disability in our Community. "FOCUS ON THEIR ABILITIES NOT ON DISABILITIES" WE ALL do start on SCHOOLING!! The Department of Education SHOULD NOT BE allowed an exemption to previous legislation of the licensure of Behavioral Analyst.

Mahalo,

Danilyn R. Maguddayao

Kahului, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Amanda Stieb

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I strongly oppose the passing of this bill as it will directly effect the lives of hundreds of special needs individuals lives. ABA is an evidence-based practice shown to make meaningful changes in the lives of individuals with autism and other developmental disabilities and the thought that the state would try and deprive students of a practice that allows them to make significant changes in their own life and function autonomously in society is absolutely ridiculous.

Mahalo,

Drew DiCocco

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Yasmine Kurdi

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Since movig to Hawaii from Utah, my son, who is now in 1st grade, has not had an aid that was qualified nor had adequate training to be able to really help my son. He has had sub after sub, and they have been just that- subs that do more babysitting then actual teaching. We finally have a consistent aid this school year, but his general ed teacher seems to be doing most of the assisting and teaching with my son, and for that I am very grateful. But the aid should be doing that, not the teacher, which is the purpose that she is there. Stop investing in projects such as the rail, where you are investing billions in a project that more than 50% of the people of Oahu will never use, and start investing in a life-long commitment to what matters most, our keiki with special needs. WE NEED OUR KEIKI TO THRIVE MORE THAN THE RAIL!

Mahalo,

Michelle Tevaga

Laie, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Bethany Gonyea

Ewa Beach, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,
It is unethical for someone who is not qualified in ABA (such as a teacher and not a BCBA) to provide services, write plans, and interventions. I have seen firsthand what happens to children who do not have qualified ABA professionals providing ABA; the children suffer, and quality ABA is not provided. I have also witness un-necessary behaviors escalate to the point of a child injuring themselves due to unqualified professionals writing and delivering these plans. As a graduate student of applied behavior Analysis (ABA), and a future BCBA, I know how much information is involved in the science and there is no way a person can deliver quality service without being a Board Certified Behavior Analyst. There are many BCBA's in the state which can provide great service to these kids. Special needs children are just as entitled, perhaps even more so to receive quality service. There have been countless studies done, which shows the effectiveness of Applied Behavior Analysis. Behavior analysis is a science, a science which trained professionals such as BCBA's have gone through to deliver the science effectively. BCBA's needed to complete a master's degree in a related field, extensive training, supervision, and exams to be qualified professionals in this field.

Mahalo,

Melissa Moniz

Aiea, Hi

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. Children with disabilities whom require extra assistance in schools should be given the proper care by someone who has the training required to work with them. I would think you would be lining up for lawsuits if someone got hurt and or worse by not having professionals assisting these children. Trying to cut corners is not fair and not right bottom line.

Mahalo,

Nicole Sanchez

Wailuku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I **OPPOSE** this bill. It is important that individuals who are making decisions in the best care for children that have significant needs, and at times challenging behaviors that pose a risk to their health and safety be licensed and properly trained.

Mahalo,

Angela Broff
Kailua, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. Kids deserve quality services in Hawaii.

Mahalo,

Gordon Broff
Kailua, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

The Hawaii DOE should be the last place unlicensed practitioners attempt to use behavioral analysis on our developmentally disabled and autistic children. This bill is irresponsible and dangerous to our keiki.

Mahalo,

Joe D'Alessandro
Wailuku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

The Department of Education should not be allowed an exemption to previous legislation of the licensure of behavior analysis. I oppose this to protect the people I work with every day. Our schools need trained and certified behaviorists to set up our keiki for success. Intervention is best when done correctly in the early years.

Mahalo,

Davalynn Ahuna
Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

My son is special needs and without the professional experience of a BCBA he would not be where he is today. Happy, Learning, Cooperating, and Enjoying his life. The special needs kids/adults deserve licensed, trained, qualified providers. I strongly oppose bill HB868 and you should too.

Mahalo,

Colleen Pegg
Wailuku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Tyler Thompson
Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Being a mother of a 28 year old autistic daughter I've seen and been a part of things just as ridiculous as this bill. If passed this would hurt every child/young adult who needs these services in order to function in this real world. It would be a nightmare and disservice to all persons needing this service as well as their caretakers, teachers and any other persons in contact with the child/young adult! I strongly appose this!!

Mahalo,

Hope Walters

Wailuku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Mel

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. PLEASE Malama our KEIKI! Keep them safe in schools. It's not too late OPPOSE 868!

Mahalo,

Robert and Deborah Krekel
Kaneohe, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

It is important that we follow that trained people with proven skills work with special needs children. Trying to save money is not the goal of the school system, the goal is to make sure that we provide the best service that we can, with qualified individuals. What will be next, that we all of a sudden dont need qualified teachers for regular ed kids!!! Really Does the DOE really think that they can find substitute workers to implement a quality program with the special needs student in our school system? Please, oppose the Bill. " we the people..... deserve to take care of our special needs children, we the people.....have an obligation to help children get the best education and services that we can. Legislators need to represent its constituents. NOT a self serving unsuccessful government entity like the DOE wanting to cut costs by dishonoring the successful work done by Behavior Analysts. Please make a stand for what is right. DO not approve this Bill. Be in the right, vote against the bill.

Mahalo,

Anne Martin
Lahaina, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Rhonda Rainwater
Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

It is ridiculous and ignorant to think that untrained people can perform the same function as trained professionals. ABA are educated trained individuals who follow very concrete principles with proven success in getting effective behavioral results, especially with children in the special needs sector. To think that just any one , without training will be able to implement a successful program is moving backwards as a society. Do not be sucked into the mis information that has got this bill into a voting point. Mark my words, those of you who approve it do so with ignorance in your hearts. Be informed, really understand the consequences of your actions in this vote. If you are being influenced to Approve the bill, then think long and hard. OUR TAX MONEY is being well spent on ABA services. Ask any parent of a special needs child, should we as a society be taking care of, to the best of our ability our children with special needs? If their answer is yes, then lets stop this bill. Vote NO. I AM NOT an ABA. I do not have a special needs child, I do however really care about children. I have witnessed teachers trying to do ABA work, thinking they are authorities and they do not know how to follow through with creating an effective program, as they are untrained in this field. For the sake of the children and for the sake of the knowledge we have of effective methods that can assist special needs children to learn, lets not move backwards in a world that knows better. I urge you to hold strong, do not be misled. Keep trained individuals working in a capacity that untrained individuals can not.

Mahalo,

Sue Martin

03/30/2016
COMMITTEE ON FINANCE

Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

The Department of Education should not be allowed an exemption to previous legislation of the licensure of behavior analysis.

Mahalo,

Keenan D. Smith

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Linda Lange
Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. ABA services need to be provided by board certified behavior analyst. It is important that these individuals who are implementing behavior change be trained and educated in science based procedures. A lot of harm can be done by allowing those who are not trained in the science of behavior analysis to implement behavior change procedures.

Mahalo,

Randi Lee
Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I worked along side with excellent DOE staff that was not trained in ABA their training was based on personal experience and personal ethics. I also work along side trained professionals in ABA and she a completely professional, trained employee who react appropriate to situations in a much better way than untrained staff. I say provide training for all who provide care.

Mahalo,

Donlyn Santos

Wailuku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I **OPPOSE** this bill. I am a RBT and skills trainer and I know first hand how important it is to have a trained professional working with a student. I am being replaced with someone who is unqualified and I am afraid for what will come for my client.

Mahalo,

Abby Hightower
Pearl City, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. This is a critical bill that allows students who would otherwise be marginalized, get the services by qualified professionals--the Keiki deserve this.

Mahalo,

Sungalina Lee
Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. The department of education should not be allowed an exemption to previous legislation regarding the presence of licensed behavior analysts in our schools.

Mahalo,

Lynn DAlessandro

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I oppose this bill, I feel behavioral analysis is absolutely necessary to move Hawaii's Keiki forward. The BCBAs here on island work very hard and their efforts make us all better. Please do not give the DOE an exemption.

Mahalo,

Marshall Gallen

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

As a registered employee in the behavior analysis field, I feel as though it is extremely important to be aware of our children's ultimate goal: to be able to learn new skills that will help to grow and function in every day life. By allowing anyone to come into the field and practice, this opens the door for unethical situations, and improper utilization of basic ABA principles. This would also be doing an unfair injustice to the licensed individuals who work hours on end to provide the best possible environment for our children who not only need, but deserve proper ABA services.

Mahalo,

Maureen Kelly
Wahiawa, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

As a parent of a special needs son, I understand their unique challenges better than most. To have someone unqualified to teach behavior analysis to my son is insulting and certainly not on his best interest. Most aides hired by DOE are paid minimally and not even getting benefits and just going through the motions. I have never entrusted my son to anyone other than trained personnel from outside services because DOE does not spend the time or money to train their own people. This tells me they either don't care or understand the needs of our special children. That is why I oppose this bill.

Mahalo,
William Pulliam
Pukalani, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Applied behavior analysis can be a life-changing intervention. As such, there are many intricacies of the science and methods that are unique to behavior analysis. Many hours of training derived from data-based research are put into educating ABA providers on how to best utilize these methods. Without proper training and experience, applied behavior analysis can be haphazardly and improperly administered, thus further exacerbating a problem that a well-intended yet untrained teacher/tutor could be trying to help. It is important that only persons who have received proper training are practicing applied behavior analysis.

Mahalo,

Hannah Laviana
Kaneohe, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. ABA should be provided by trained and licensed providers to ensure our children are receiving the best evidenced-based therapy to promote positive behavior change and improve quality of life.

Mahalo,

Erika Enomoto
Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. It is important that children get the correct help they need! I have close friends whose children are directly affected ; I can observe every day how trained and qualified professionals help the son and daughter of my friends , how much they are improving and how much better their quality of live can be. These children need these services like sick people need doctors and nurses! Please do not remove any of these services from the ones in need!

Mahalo,

Birgit Schaefer Weber

Haiku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Robin

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. children are important and need the best possible service providers

Mahalo,

Paul Brown
Wailea, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. These children need someone who is licensed to ensure they are properly cared for. Anyone can provide care to a child, it takes someone licensed to understand the needs that specific child with special needs has. Meeting these needs and providing education that aligns will only be met by licensed providers.

Mahalo,

Melanie Earle

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Chantel

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Joshua Nichols
Wailuku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. Qualified people should be providing services to children in order to ensure that the are receiving quality services.

Mahalo,

Danielle

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Our children deserve evidence-based, best practices to support their development. By exempting providers in the schools from a requirement for ABA training and support when offering behavioral-analysis-based supports, we would be denying our most vulnerable keiki and families a practice that works, and one that will save the state money in the long-run. To deny informed implementation of ABA in the schools is a travesty that will hurt children, families, and teachers. The Department of Education in Hawaii should not get an exemption from best practice simply because it will cost money or is inconvenient to implement. Do not vote for this bill.

Mahalo,

Peggy Brandt
Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am an adult with autism. Beau is my licensed behavior consultant. My schools didn't know how to deal with my behaviors. Don, Beau, and Kim helped my teachers to keep me in my classes. Without Don, Beau, and Kim's help, I would not be where I am today in the community. My autism can not be cured. I am glad Beau is still with me. He said I can phone or text him any time I have a problem. Beau knows how to help me. I am an adult now and the kids still going to school will have a bad time if the DOE doesn't have somebody like Beau to help them. Please help kids still in school to get the same help I had by opposing amending Act 199.

Mahalo,
Gabriel Vista
Pukalani, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

The science of Applied Behavior Analysis has come a long way since the days of behavior modification and unlicensed individuals practicing "behavior interventions." We need to avoid going back in time and continue to progress forward with stricter qualifications. A licensed individual in this field spends hundreds, if not thousands of hours learning data-based research, interventions, and methods in order to be an effective practitioner. Although an individual in a public education setting may have well-intended actions, they may not be utilizing interventions that are evidence-based and further harm the keiki. I **OPPOSE** HB 686.

Mahalo,

Michelle Thorstad
Honolulu, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

My son has speech delay and receives ABA services we pay for out of pocket. Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Danita Meredith-Sanchez
Pearly City, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Our children NEED licensed professionals only. Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Amy Grant
Haleiwa, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am a parent of a special needs child and we need trained personnel to work with them like teachers need to be trained!!!! Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Karin Engert
Kahului, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I STRONGLY oppose the Department of Education (DOE) seeking exemption and amending Act 199(15). I have an autistic child and this bill is NOT a help to our kids or anyone else who has contact with our kids! Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Daniel Walters
Kihei, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

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Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I work with special needs everyday. I can't stress enough how important it is for these individuals to have qualified personal working with them each day. Success starts with intervention at an early age. These children deserve to have success and need professional help to achieve it. I **OPPOSE** this bill.

Mahalo,

Meredith Rider
Kihei, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

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Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

It is very dangerous for someone with no training to implement ABA procedures. There is a reason why doctors and other trained medical professional can prescribe the medication, designing, implementing and evaluating any ABA procedures are the same way, if someone without proper training does it, it may harm the children and takes away their opportunity for proper treatment. I **OPPOSE** this bill.

Mahalo,

Yuri Hasegawa Lee
Honolulu, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

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Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Aloha! ABA programs need to be implemented by professionals who are qualified to do so. If teachers have taken a series of ABA courses and pass the BACB exam, then they can go ahead and provide ABA services. If not, certified individuals need to be hired to do the job. ABA is a science, individuals need to learn about it before giving services to students. Our students deserve the best, which is having behavior analysts provide behavior services. I **OPPOSE** this bill.

Mahalo,

Jade Torres

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

This bill could cause severe harm to these kids who are already at risk. i would hate to see so many amazing kids suffer because they can't get the help they need. Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Jaclyn McCormick
Haleiwa, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I am the parent of a special needs young adult writing to strongly oppose HB 868. Exempting the Department of Education from the bill that requires the practice of behavior analysis to be licensed is inappropriate, dangerous and will cause undue harm. Some of our children have very serious and complex behavioral issues that require the services of someone who is trained and licensed. If the DOE does not have enough board certified behavior analysts working for them, they need to figure it out and meet the requirements of the law. It's an unacceptable excuse, and one that DOE special needs students shouldn't have to pay the price for. Using unlicensed personnel will only lead to more long term problems not to mention the pain and suffering of our already vulnerable children. . I **OPPOSE** this bill.

Mahalo,

Joanne Tanaka
Wailuku, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

As a licensed and board certified behavior analyst (BCBA), I know how many years of education and training it takes to become a qualified professional in ABA. Our keiki at school deserve the same quality standards used by insurance providers for home and clinic based services. This bill would prevent our keiki from receiving real ABA. This is the equivalent of letting a school nurse practice surgery. I **OPPOSE** this bill.

Mahalo,

Sara Mayne-McClay
Honolulu, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Gillienne Nadeau
Honolulu, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. These children deserve licensed professional help and nothing less than that. I **OPPOSE** this bill.

Mahalo,

Jorge
Waialua, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE
exemption**

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

It's important that our Keiki are taken care of by getting the best possible services. The Keiki are our future so we need to #malamaourkeiki. Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Ariel Keaunui
Ewa Beach, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE
exemption**

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

ALL of Hawaii's keiki matter. Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Christy Torres
Honolulu, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Allison Koehnen
Wailuku, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE
exemption**

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

My son has been diagnosed with hypotonia, advanced bone growth, autism, sensory processing disorder, possible ADHD and central processing disorder. We are still in the process of testing and seeing multiple specialists monthly so he can hopefully receive the care he needs to eventually become a successful independent adult. He needs one-on-one help in school along with speech therapy and occupational therapy. In schools the special-needs helpers that are supposed to be helping him have fallen short in both care and professional behavior because they say he is frustrating, difficult, and tiring and he tells me they are grumpy and don't like him. I believe this kind of attitude is only because they have not been properly trained and I cannot even imagine an ABA therapist who is less than qualified giving care and direction to my child. We have had an ABA therapist for a couple years and with the right one who is qualified and trained properly my son has seen huge growth in social behavior as well as speech and language and is able to express himself in a more proper manner. It takes a very special and patient person to work with a special needs child and the more education and training they have the better and quicker the results in progress are for the child. Without the proper training and education for ABA therapy I feel it would be cheating the child of quality services and therefore be unexcusable. I **OPPOSE** this bill.

Mahalo,

Tara Elkin
Wahiawa, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Before I worked in this field I had no idea how important this really was. Now I understand not only does it ensure the childrens success, the children deserve the very best life they can have. The children reach their goals with licensed, trained, qualified, ABA professionals in the schools. I **OPPOSE** this bill.

Lacey Morris
Wailuku, Hawaii

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill. It is important because we are talking about our sons or daughters our brothers or sisters. Would you like an unqualified, untrained, unlicensed individual taking care of your family? I think not. Do what's right and oppose this Bill.

Mahalo,

Cody Lopez

Haleiwa, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill. Licensed professionals are the only people qualified to work with this fragile population. It's not babysitting. Progress can be made after proper assessment. I'm a licensed R.N. For the record.

Mahalo,

Deborah Aldrich

Haleiwa, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Carolyn Penland

Kailua, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Ben Penland

Kailua, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Emily Herbert

Kaneohe, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

David Hoyt
Kaneohe, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill. Why would you want an unlicensed professional doing anything that requires a license? Woud you allow an unlicensed electrician to build your home? Would you let an unlicensed doctor perform surgery on you?

Mahalo,

Lawson Cosseboom

Haleiwa, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Heather Ihlen

Kaneohe, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Suzanne Machos

Kaneohe, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I **OPPOSE** this bill.

Mahalo,

Sam Burgos

Kailua, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Elaine Cortes

Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

These are our children and every child deserves not only love and compassion but the right to access the best possible care. You and I wouldn't allow a non certified doctor to operate on us or a non licensed nurse to draw our blood. So why are we letting non certified individuals providing treatment to our children with autism and other disabilities. Behavior analysis is not just education; it is the only proven method of treatment that demonstrates positive results for our kids. These are our kids. Do we want to live in a world where all children with autism have very little access to proper treatment? I don't. If you disagree, then you are also supporting all other medical professionals such as dentists and cardiologist to provide service to you unlicensed. Please, these are our children. Let's make this change now. Let's make this world a better place now.

Mahalo,

Kim Wolff

Haleiwa, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

The children of Hawaii should be given the best when it comes to education. The Department of Education should not be exempt to previous legislation of the licensure of behavior analysis. I strongly oppose HB868.

Mahalo,

Aileen Manglaylay

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Aloha, I'm briefly taking a moment to oppose this bill. I don't believe the department of education should be allowed exemption to the previous legislation of the behavior analysis. Why eliminate the BCBAs that have already been established to pour out themselves to those who are unable to do so themselves? We are taking a stand to be a voice of our present clients and our future ones as well. We are sincere compassionate people that wholeheartedly and patiently responded and care for those in need. We stand in qualified united together and professional trained. The Keiki of Hawaii deserve to continue to move forward in life and we are the ones to lead them. So please let continue to move forward and not backwards taking the ones who need along with us a step behind. Your claim is that there's not enough BCBAs, why do away with the ones Hawaii does have? This will ultimately delay our Keiki for a better tomorrow thus leaving them in the dark.

Mahalo,

Mitierra

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

I have a daughter with multiple special needs - she's Down Syndrome, Autistic, Profoundly Deaf and Legally Blind. The DOE is NOT above the Law!!! Under no circumstances may HB868 pass! We all work too hard to protect our keiki and if this passes it will not only put our children in danger but will actually put their lives and the lives of the people who take care of them in danger. Not to mention their dignity! This was too hard won - No no No!!! All of our special needs kids need and deserve licensed, trained and qualified providers - just like you expect to receive when you need a professional in some capacity.

Thank you - Joanne and Hannah Hopper

Haiku, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Desiree Sabas

Makawao, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

These children deserve to be given the proper services to meet their needs. In order to make sure that the needs of these children are met they deserve qualified providers that can implement these teaching strategies to them, this means that providers should be required to be licensed in order to provide services.

Mahalo,

Kayla Jones

Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. It affects my family.

Mahalo,

Seana Andrzejewski

Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

If passed, this will cause harm to our keiki. Applied behavior analysis is backed by over 50 years of research and can be effectively implemented by properly licensed professionals. Professionals in the DOE setting can not effectively use evidenced-based practices without proper training and support from licensed professionals.

Mahalo,

Sara Dinkelo

Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. It affects my family.

Mahalo,

Josh Wilson

Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

We need to have qualified specialist in the system. I'm pregnant with my first child, and I want to know that if my child needs special help in school, someone that is licensed to make these assessments will be in place.

Mahalo,

Robyn Smith

Kihei, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Behavior analysis is a scientific discipline, and those who work on the applied branch with children, teenagers, or adults have received extended training in the field to be able to put in practice all scientific principles and procedures discovered through basic research. It is very, very important that we have qualified, and trained professionals receiving ABA.

Mahalo,

Cibele Abelin Cechella

Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Licensed, trained, and qualified professionals are important to provide appropriate and safe plans to develop skills for the keikis in our schools. Traumatic experiences would be alleviated/prevented from occurring when licensed and trained professionals are involved. Unfortunate events in our Hawaii school system which has been recently featured on our news media can/could have been prevented when a BCBA professional can help advocate for our children.

Mahalo,

Meliza Manuel

Waipahu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

As the parents of a child receiving ABA treatment, we can personally attest to the benefit of a PROFESSIONAL, TRAINED, LICENSED provider. We have seen attempts by private companies and public agencies who do not have licensed, trained, qualified providers. The difference is night and day in terms of efficacy, professionalism, and money—as anyone who has ever fixed someone’s bad job can tell you, it costs more to correct someone’s work than to do it right in the first place. Untrained, unlicensed persons attempting to provide these specialized services have NOT been able to achieve results or adjust their methods in a knowledgeable and timely way, in the moment and specific to the child—instead, they do DAMAGE that must be reversed or corrected. Providing ABA services requires the knowledge and training to be able to work with the child in the moment, not defer to another authority for “review at a later time”. This is not slapping on a bandage at the school nurse--this is working with a child’s brain, behavior, and emotional life. Our family has worked in the DoE, retired from it, and all are shocked that HB868 is an actual proposal. Our family and I strongly oppose HB868. If you have ever had a child in need of these services, you do too. If you have not ever had a child in need of these services, PLEASE defer to the testimony of those who have and do. Would you go to a dentist who has “read up on dentistry,” tells you “I have someone I can call if I need to,” or hides behind “but I work for Kaiser/Queens/etc.” as a shield against actually BEING a dentist? No? So why does the DoE think that our keiki deserve less than a back molar? Shame on you, DoE, for trying to scam our keiki and families. Well-meaning is NOT well trained. HB868 should die the shameful death it deserves, and its authors should apologize to families--this ridiculous attempt at cutting corners by shorting children who need protection the most is beneath all of us.

Mahalo,

The Wolfe Family

Honolulu, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

As an educator for over 41 years who worked in and actually retired from the Hawai'i DoE, I strongly oppose any bill that would allow just ANYONE in a public education setting to provide behavior analysis, exempt from the licensure law. I believe in consumer protection for all keiki, no matter the setting. All keiki receiving behavior analysis deserve licensed, trained, and qualified providers. I OPPOSE HB868 and any bill that would allow anyone to provide ABA in a public education setting without proper licensure and qualifications. As a citizen, I am also concerned that the DoE is opening itself up to lawsuits from parents and organizations by attempting this end-run around the law—trying to get itself exempted from a licensure law does NOT exempt it from hurting our keiki. No matter what exceptions on paper they want to make for themselves, hurting a child in this way is still actionable in a lawsuit. I don't want to pay for the DoE's damages, monetarily or more importantly, in real terms for our kids.

Mahalo,

E. Morita

Keaau, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

The Department of Education should not be allowed an exemption to previous legislation regarding the presence of licensed behavior analysts in our schools. I have friends with a special needs child and I see first hand the progress their child is making due to these professionals.

Mahalo,

Gina Dunker

Maui

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Denise-Rae de Guzman

Ewa Beach, HI

03/30/2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

Conference Room 308
Hawaii State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto and members of the committees,

HB868 is an attempt to undermine previous legislation that can easily result in improper and harmful methods being used to deal with children, particularly those with autism, in public school settings. Only individuals licensed and trained to deal with these children are qualified to provide for these keiki and their special needs -- and the Dept of Education is playing politics and finance with the long-term lives, with lifelong productivity, that these children deserve -- if you truly care for Hawaii's future and these children you will vote no on HB 868!!

Cindy Vanover

Mililani, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am a mother of 4 children. Two of them are currently attending public school while my oldest child graduated 2 years ago. It is disheartening to hear that DOE is pushing for a bill that does not protect our keiki. I would like to be assured that if my children receive behavioral services in the public school setting, that these services are done by a qualified, well trained and licensed professional that adhere to best practices and utilizing evidence-based interventions. It's mind boggling to me to think that that this bill is in any way shape or form ok. How is this ok? How does this bill ensure that our keiki are receiving the best possible care if it allows someone with little or no experience to provide ABA services? It doesn't. I am in strong opposition of this bill.

Thank you,
Willy Grace Bunghanoy Diama
Mililani, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I OPPOSE this bill.

Thank you,
John Gelert
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My twin boys are Autistic and need ABA services. The schools need professionals not people whom tie up 6 yr olds in our Mililani Elementary schools. DOE needs to train the principals too.

Thank you,
Olympia Frink
Waiialua, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My daughter who is non verbal & has been at the DOE has fallen through the cracks.
She NEEDS highly qualified BCBAs and STs to make necessary improvements.

Thank you,
Nancy Liu
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I OPPOSE this bill. These kids deserve qualified licensed professionals.

Thank you,
Gitte Gonzalez
Haleiwa, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I strongly oppose unlicensed personnel administering ABA therapy to my son who has Autism. He is already years behind and needs intensive therapy by licensed trained personnel. It's bad enough that the DOE continues to cheat us and deny services but whats more ironic is to fight so hard to get the service only to find out it is worthless.

Thank you,
Tracy Littlefield
Kaneohe, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Not all autistic kids are the same. Their needs are not the same. The help they need is not the same. The idea that an untrained person would have the skills to deal with the wide range of issues and severity involved is ludicrous. As the parent of two autistic children I cannot help but view this bill with horror. My children have made incredible gains due to ABA services and I know that ignorant help, even well intended, would send them quickly spiraling in the wrong direction. This is bad for my kids. This is bad for my family. This is bad for the military. But of primary concern to you should be how bad it will be for society at large when we have to deal with the consequences of ineffective help. Given the sheer number of kids being diagnosed on the spectrum we, as a society, and you, as our leaders, have two choices: deal with the cost of raising these kids into socially appropriate and financially independent adults, or deal with the Long term costs to our society when they are not.

Thank you,
Rebecca White
Kailua, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My child is 10 as been neglected and has not made any progress since starting school. She still cant talk and needs 24 hour care. Nothing the schools have done works and all they do is baby sit which is pretty sad. If she had qualified teachers she would be different for sure. Please help

Thank you,
David Liu
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am Uncle to Twin special needs children. I have a lot of friends who work with special needs children. They Need all the Help they Can get.

Thank you,
Mike McNeace
Waialua, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My daughter Jennifer would have benefited greatly from a Behaviorrest early on in her schooling!! So I feel they are greatly needed.

Thank you,
Dan Coleman
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I have worked in and with the DOE for the past 17 years servicing children diagnosed with Autism. There has always been and continues to be a significant difference in training and competency between DOE staff and contracted providers. More so, when compared to a BCBA. Although the DOE reports that their staff members are trained in ABA, I can assure you that they are not. This has led to inappropriate treatment of our Keiki. I currently continue to encounter the miss-use of punishment procedures, inappropriate placement, and schools without Fully Self Contained (FSC) classrooms forcing students to transition during every class into classes that are 3-4 times above their academic level. I continue to encounter teachers that would rather allow there students to hit themselves with a bloodied face using extinction (a popular but not always ethical ABA treatment) rather than implementing a Functional Behavior Assessment and appropriate Behavior Support Plan that would use more ethical and humane procedures. I continue to see the promotion of paraprofessionals and the transformation of untrained DOE personnel into ABA consultant positions without nearly the ABA education needed to create and monitor an ABA program. This is a continua frustration that I encounter. On the positive side, I continue to work with teachers and staff members that are so stressed and in need of help. These are the providers that ask for help. These are the providers that willingly express that the help from a BCBA consistently surpasses the help that they receive from DOE staff members. Teachers themselves will agree that a BCBA is needed to confidently and successfully create and monitor ethical ABA programs. Without a licensed professional, I can assure you that Teachers and staff will use the limited interventions that they have been taught in the past to treat suffering children. Such inappropriate interventions as ignoring a child that hits herself until bloodied. Inappropriate interventions such as restraint just to gain compliance (not recommended in ABA). Interventions that will not just lead the DOE into more law suits but will create undo pain and suffering upon our children and continue to hinder their learning and reduce their potential in life. Please continue to hold the DOE at the same standard as everyone else. If the law doesn't, neither will they.

Thank You,
Fred Yuen
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I OPPOSE this bill

Thank you,
Leah Minium
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I work as both a Registered Behavioral Technician for Tri-Care as well as a contracted skills trainer within the DOE. My professional training in ABA has been extremely valuable in my ability to provide quality services under my supervisors. In my experience, mere outside consultations by professionals who are not the face-to-face providers do not suffice and create inconsistencies in service which are detrimental to the special needs individual.

Thank you,
Laura Ann Stirling
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Working with adults with special needs, I strongly oppose this bill. It will directly effect the quality of service provided to our most vulnerable population.

Thank you,
Jessica Laloulu
Wailuku, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii school system is failing children as it is. Having non-licensed, non-certified providers for behavioral analysis to work with special needs children is inadequate and simply a cost-saving measure at the expense of our children. Special needs children deserve appropriate care, not-substandard care.

Thank you,
Judith Rocap, Psy.D.
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Thank you,
Lacey Kea
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am a psychologist who strongly believes in adequate training and licensure for individuals in positions that provide services to special needs children.

Thank you,
Bria Dunkin, Psy.D.
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Thank you,
Suzanne Gustavson
Kailua-Kona, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I believe this bill should not be passed because those with special needs do have an ability and the right to recieve education and a better life. But in order to recieve education and a better life, they need the right help and support and without it, it is unethical and a neglect in education and support to students who deserves to be educated and supported no matter their disorder. Without ABA's they cannot achieve their goals in life and this take away opportunities for them. ABA's has truly made a diiference in a child's life. With the consistency of the right behavior intervention plans, these children can succeed.

Thank you,
Alannah Coratibo
Makawao, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

These are our children, all need the best we can give them.

Thank you,
Barb Bosz
Kailua-Kona, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My son is autistic and he needs properly licensed specialist to work with him.

Thank you,
Victoria James
Kapolei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Dear Legislators, I am writing to reinforce your knowledge of the significant consequences of this bill. Children with Autism Spectrum Disorder (ASD) have been shown to respond very well to a particular form of therapy, Applied Behavioral Analysis (ABA). The evidence is significant enough that insurance companies have begun to (and are now mandated) cover this particular therapy for individuals with ASD. ABA therapy requires a structured and consistent presentation that needs to transcend all environments, including home and academic settings. ABA therapy is a structured therapeutic method that requires training and close monitoring. It is imperative that trained therapists provide this intervention for these students in order to allow them to benefit from academic settings and show their true potential. To allow untrained, or poorly trained, individuals to provide these services would be doing a terrible injustice to these children who are already at a disadvantage in the academic setting. Please ensure that our children/keiki receive appropriate intervention and treatment by not allowing this bill to pass and schools to have untrained individuals attempting to provide these services.

Thank you for your consideration,
Janet Thomas, PsyD
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Obtaining and receiving quality, effective and proven treatment services are all things that we look for when getting help and assistance. Sometimes, this assistance requires us to hire an occupational therapist, a physical therapist, a doctor, a teacher or even a plumber. It is imperative that we ensure the right licensed people are treating children with autism. Applied Behavior Analysis is proven to be an effective treatment for children with autism. There is a reason that there are high educational and practice standards to the field of Behavior Analysis. Please continue to protect our children and families by ensuring access to quality and proven treatment modalities.

Thank you,
Anastasia Keller-Collins
Ewa Beach, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Keep our kekei safe

Thank you,
Julia Thompson
Hawi, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Children with special needs deserve to have qualified and licensed providers. Behavior analysis should be treated the same as nursing, occupational therapy, speech therapy, and physical therapy. Please do not grant the DOE an exemption.

Thank you,
Jeffery Gillstrom
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Children, families, and behavior analysts should be given the same consumer protection through licensure of that given to other professions. I oppose this bill.

Thank you,
Colten Brittain Kapani
Makawao, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Only a licensed provider should be teaching our higher needs children. A lay person does not have the education and learned skills to make such a decision.

Thank you,
Jan Farmer
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My friend Jenny is special needs. If she would of had this kind of support she could have learned to communicate better. Please don't give up on our Keiki's future!

Mahalo!

Mary Adsit
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Please make sure that children have a behaviorist to help them and to help teachers. Special Ed students have a differcult time as is. If you deny them access to behavior intervention you will be making their lives much more differcult and the lives of their teachers and the community in the long run.

Thank you,
Candace Coleman
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I OPPOSE this bill.

Thank you,
Ziara Emmsley
Makawao, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I OPPOSE this bill.

Thank you,
Arnel Kea
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
Conference Room 308
State Capitol
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My name is Lindsey Shepherd, and I am a licensed Board Certified Behavior Analyst. Before I became a Behavior Analyst I was hired by the Kauai school district as a Behavior Specialist, consulting with teachers, paraprofessionals, and parents on students diagnosed with Autism. I had no experience prior to being hired on, but was lucky enough to get to shadow a current behavior specialist. We taught paraprofessionals how to deliver ABA instruction, worked with teachers on developing behavior plans based on ABA strategies, and taught parents how to deal with students in their own home using ABA strategies. I enjoyed the work I did so much that I went back to school to get my masters in applied behavior and autism and pursue my BCBA. During my schooling I was incredibly embarrassed and shocked at the amount of things that I was doing incorrectly. The training that I had delivered to teachers and families was not up to par with standards of practice. Since then I have still worked with the school district as a contracted provider on the Island of Kauai, and I am constantly faced with situation where people who are given less training then I was when I was hired are designing and training ABA programs. Many of the Behavior Specialist employed are emergency hires who were paraprofessional and have no formal training in designing ABA programs, functional behavior assessments, or even the diagnosis that they work with most often, Autism. The school district is unable to hire or maintain skilled staff and the staff that are skilled are pulled so thin that their services become ineffective. It is crucial to the students with Autism in the department of education that they are required to hire and train staff to the reasonable standards that are already put forth in the law. It is logical that a licensed professional be the person delivering training to a teacher, instead of someone who has received no formal training or practice in the area. I strongly oppose HB868 and SB1311 and support delivering quality services to keiki in our school districts.

Thank you,
Lindsey Shepherd, BCBA, LBA
Koloa, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

The DOE should not be exempt from the licensure law. Exemption will put our children at risk.

Thank you,
Mary Jossem
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
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2:00 pm
Conference Room 308
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I strongly oppose this bill. Currently my 6 year old daughter receives ABA therapy from the most professional and qualified people. They are doing the most wonderful job. My daughter has tremendously benefited and improved since her therapy started. The quality and professionalism of these educated folks are beyond my expectations. Having just anyone provide this kind of services for my daughter would greatly impact such quality and most importantly my daughter will not where she is today. Please do not pass this bill!!!! It will degrade the quality of ABA services!!!!

Thank you,
John Taman
Wahiawa, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

ABA should only be used by trained and licensed individuals. Not doing so causes danger. Allowing this shows that the kiddos are not what matters, but rather money is what matters. Would you let a someone without a medical license practice medicine? Would you let any random person on the street be a teacher without a teaching license? I find this bill pathetic.

Thank you,
Matt Amsutz
Solana Beach, CA

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

The youths of Hawaii need licensed, trained, qualified, professionals in the schools. I'm submitting a testimony to ensure all youths that receive ABA have the right to the same consumer protections.

Thank you,
Alexandra Berry

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

As a teacher I oppose this bill. Teachers are not qualified to conduct ABA unless they are licensed or certified by a qualified body. This puts our children at risk and it puts our teachers at risk of lawsuit. Please rethink this bill. You would not let a teacher conduct occupational or physical therapy, so why would you allow them to do ABA?

Thank you,
Kim
Solana Beach, CA

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

For the DOE to not support research based practices for students with autism is a direct violation of FAPE. Students who have autism should be supported with professionals who are trained specifically to work with these individuals because it is the most effective means of treating behavior in kids with autism. To provide a research based practice to these students by people who are not professionals or trained in ABA would be equivalent to giving surgery to someone without a license. It is not ethical for DOE to allow individuals who are not trained or certified in something so specific and life changing for a child who has autism. In order to provide FAPE, the DOE must provide these services to students who qualify for special education services in the category of Autism Spectrum Disorder, and not doing this is breaking the law. Why would the DOE even want to get itself into a mess by providing essentially therapy to kids by unlicensed people? Is that really what the DOE wants to skimp money on? Our students who have Autism? The message that this sends is that our special education students do not deserve to get the best services to make them as successful in the least restrictive environment- which is illegal. Please consider the children who will miss out and potentially never receive therapy which has been scientifically proven to improve student's lives. Passing a bill like this would be a disservice to students who can not afford to get private practice and deserve the same education as students without disabilities. Please do not pass this bill-for the sake of our keiki.

Thank you,
Ryan Suero
Wahiawa, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

This is dangerous!

Thank you,
Martin Myers

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. If the professionals are not licensed, trained, or qualified, this is putting the child at risk of being abused by some one who does not know how to interact with the child. The professional will not be able to provide a safe learning environment for the child if they are not trained and licensed. This also puts other children at risk because if the professional doesn't know how to handle a situation that may come up, it may create an unsafe environment for learning. This bill is similar to saying our school driving instructors don't need a drivers license to teach us how to drive.

Thank you,
Victoria Berry
Pearl City, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Applied Behavior Analysis, otherwise referred to as ABA, is a science. Board Certified Behavior Analysts are the scientists of Applied Behavior Analysis. Currently there is a private Board, the BACB, which certifies, oversees and defines the field. There are ethical guidelines and principles which are required of BCBA's to follow. DOE teachers are not required to adhere to these ethical codes of conduct, will not be overseen by the board, and is not apart of the ABA field. With that being said, Applied Behavior Analysis is also one of the only recognized treatments for autism. Autism is a multifacted disorder affecting many areas of development. In schools (DOE/public), the behaviors of autism can be so severe that a child's safety is at risk. ABA can help these kids with severe needs; but only if a qualified professional is providing services. There are two bills which the DOE has submitted which would allow anyone in school settings to legally practice Applied Behavior Analysis. As a graduate student studying Applied Behavior Analysis, I can assure you that there is so much to the science, that someone who is unqualified cannot fathom to implement or understand. Many special needs teachers (probably most for that matter), have not studied Applied Behavior Analysis...What is worse, is that our special needs keiki are at risk since they will not be receiving these treatments,interventions, and assessments from a licensed professional such as a Board Certified Behavior Analyst. These kids matter, and they do deserve quality care, given by qualified professionals.

Thank you,
Melissa Moniz
Aiea, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My child with autism was placed in the DOE for two years with little to no progress in any of his life skills or academic goals. It wasn't until he entered into an full time ABA program that we saw actual progress. Upon his evaluation by trained Board Certified Behavioral Analysts that we found out his immediate needs were and could address them. The special education staff within the DOE ws not able to do that for him. Six months later and my child has made more progress with ABA than his entire time in the DOE. Effective ABA is tailored and specific to each individual child. It requires more than just a couple hour class a couple times a week. Our kids deserve the best and not having someone who understands ABA and Behavioral Analysis is a science and ABA could do more harm to our already fragile kids.

Thank you,
Gabrielle Valdes
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I believe all children need a licensed and qualified provider for behavioral analysis.
They deserve a quality program that can only be provided by trained professionals.

Thank you,
Kayla Christensen
Kaneohe, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

ABA is a difficult field that takes lots of experience, training and education. Behavior Analysts have worked hard to become certified by the BACB and now licensed by the state. Behavior Analysis should only be practiced by experienced providers that know the field. This license does not mean people cannot work with children and provide reinforcements, it prevents people who are not trained in ABA from claiming they are trained practitioners. Children will lose quality of care if people not trained in ABA are able to provide ABA services.

Thank you,
Jennica Orme
Wahiawa, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Our children need highly skilled, trained and licensed professionals to help them recover from autism, not teachers aids who have taken a few ABA classes. This is a very serious matter and should be taken as such. Many treatments for autism are not covered and now if the DOE is exempt, we open the door wide open to allow a lower standard of care.

Thank you,
Denise Pronesti
Ewa Beach, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Our children need programs that are created and overseen by licensed professionals (Board Certified Behavior Analysts). Teachers, counselors and other DOE professionals already have so much on their plate and have their own expertise. Leave the ABA programming to the BCBAs it is their expertise.

Thank you,
Colin Campbell
Wailuku, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I OPPOSE this bill.

Thank you,
Laura Becker
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

As a licensed RBT, I think it is absurd that just anyone without having the proper ABA training can be working with these children. There are necessary techniques and strategies designed to help these children, and it is unfair that they not get a professional that is licensed and able to help them progress to their fullest potential. If this is allowed then why not let me perform the next surgery? Fill in the patients cavity? Give birth to the baby? Fix the transmission on the car? The simple answer to this is because I don't have the raining and schooling to be knowledgable on how to do any of these correctly and unlike the car, but including all of the other examples, these are human lives in our hands. These children have meaning and a purpose and by stating that it is not necessary for them to be taught by an ABA licensed person, is saying that they don't deserve the highest offered protections that they could be receiving. I hope that this is strongly taken into conservation.

Thank you,
Cassandra Gucciardo
Waipahu, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

If this is allowed there might be some teachers who will use this bill as an excuse to hurt children some with special needs and could get away with it. I, myself have an autistic child I am already scared to send my child to school.

Thank you,
Juri Ishida
Mililani, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

This could be very dangerous.

Thank you,
Sabrina de la Fe
Miami Lakes, FL

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am a RBT in Indiana. Training and licensing is important.

Aimee Grider
Ft. Wayne, IN

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I OPPOSE this bill.

Thank you,
Marie LeBoeuf
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

With my minimal involvement in the ABA field, I cannot imagine letting a non-trained, unlicensed person shaping the behavior of our children. Hawaii requires a license for fishing to protect its marine life but would not require licensing for shaping and molding the behavior of its residents? It is senseless to not require licensing and certification for all those providing ABA instruction.

Thank you,
Mona Steury
Leo, IN

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I wouldn't let my dentist Perform open heart surgery, and I wouldn't let my child receive ABA from someone who wasn't even certified. Allowing anyone to claim they are practicing such an important field with which they have received no extensive training, experience, and supervision, is irresponsible and dangerous.

Thank you,
Kyle Steury
Fort Wayne, IN

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Our kids deserve the best provides in Hawaii to work with them.

Thank you,
Steph Garcia
Haiku, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I've seen the education needed to do a good job and to learn how to treat people with autism. It has taken every minute and hour of my husbands life for the past 3 years and that is working full time in the field AND school and he still has a lot to learn. Even some trained in ABA but have little experience do a terrible job and terrible things happen. Why would you allow untrained people to take care of vulnerable people? This is dangerous. Please stop this.

Thank you,
Lydia Steury

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Our keiki need the best quality education , and this bill will undermine those efforts.
Education trumps money.

Thank you,
Kai Funahashi
Buffalo Grove, IL

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Thank you for the opportunity to submit testimony today in strong OPPOSITON to HB868 HD1. My name is Jackie Baker Belding and I am a certified special education teacher and licensed behavior analyst. I have been providing applied behavior analysis (ABA) services as a licensed BCBA in Hawaii schools since 2009. ABA has been endorsed by the National Institute of Health and has been identified by the Surgeon General as the most effective way to treat autism. We know that children with autism can make dramatic progress when their programs are designed and supervised by a licensed BCBA. When unsupervised and unlicensed staff provides ABA services, our children's progress and safety are at risk. BCBAs must undergo rigorous training supervision requirements and pass a board exam to become licensed. BCBAs are also required to recertify, acquire continuing education, and comply with the Behavior Analyst Certification Board's ethics requirements. BCBAs have a unique skill set that other professions do not possess and it is imperative that our children have access to services from licensed professionals. Our teachers' plates are already full; do not ask them to provide ABA services without support from a licensed BCBA. Please stand up for our keiki and OPPOSE HB868 HD1.

Respectfully,
Jackie Baker Belding, M.Ed., BCBA
Lihue, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am a pre-service teacher at Chaminade University and I believe that all students deserve a quality education. I have observed classrooms with students with special needs it is extremely difficult to teach a class of 20 when there aren't any one-on-one's or when those one-on-one's are not properly trained. I myself am a ParaProfessional who feels I have not received adequate training. My sister and two of my friends are trained professionals for this program. I know they receive training before stepping into the classroom. They are well prepared and equipped with tools and skills to properly approach their clients/students. I on the other hand receive on the job training. Sometimes it can be overwhelming because I just do not know how to handle a situation. Much of the responsibility falls back to the Special Education teacher, but she oversees two entire grades. Having licensed, trained, qualified professionals would make the world of a difference. This should not be a concern of money or politics, it should be a concern of our keiki's future and quality education.

Thank you,
Danny Rhey Acidera
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My son is autistic! I feel like anyone working with him should be TOP NOTCH and certified! He deserves that and so does EVERY OTHER SPECIAL CHILD!!!!

Thank you,
Karen Tower
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Thank you,
Laynette Ahsing
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki

Thank you,
Danielle Tavares
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

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Thank you,
Lisette Soni
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
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2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki.

Thank you,
Raenell Bacarro
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Thank you,
Dr. Susan J Licoan
Ookala, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki.

Thank you,
Sarah Cover
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki.

Thank you,
Amanda Polk
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

As a newly licensed BCBA I urge you to please oppose this bill. Our kids deserve and need licensed RBTs and BCBAs to provide the care needed to live independent lives. Lacking in the care early on will only create more of a deficit in children and adults needing therapy. This will cost thousands of dollars in the long run. Please oppose this bill. Our keiki deserve and depend on this!

Thank you,
Jena Watters
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better.

Thank you for your consideration,
Davalynn Ahuna
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

The children of Hawaii deserve the very best. Our teachers deserve the best. Please do the right thing. I oppose bill SB1311. Trained professionals are needed to serve our children who need ABA services.

Thank you,
Charme Taksony
Makawao, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

ABA is a medically necessary treatment for people with Autism. Those of us who are licensed to practice ABA have gone through rigorous coursework, supervision, and testing. Not anyone can practice ABA. Just as children deserve licensed teachers and licensed physicians, they also deserve licensed ABA practitioners. Allowing untrained people to practice "ABA" is detrimental to our children, as untrained people truly do not understand the depths of ABA.

Thank you,
Liane Chu
Kaneohe, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
Conference Room 308
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I feel that our keiki's should have all the support they can get.

Thank you,
Kayla Akahi
Waialuku, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki.

Thank you,
Veronika
Kahului, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

There are so many reasons why the passing of these bills would be largely unethical to our keiki and teachers in the school system. The licensure law was passed not only to protect the title "behavior analyst" but more so to protect our keiki so that they have access to ethical and evidenced-based treatment so that they can learn the skills they need for the best quality of life possible. There is so much research that supports not only that children will become more indistinguishable from their typical peers with ABA services implemented as soon as possible; but also that it will greatly reduce the reliance on public funding sources to support these individuals across the span of their lifetime. It is irresponsible in many ways for the proposition of these bills; not only it is a huge ethical problem which poses harm to our keiki, but it also places unrealistic expectations on teachers and school staff who do not have the proper training to implement behavior analytic supports and it is a huge waste of public funded monies. Teachers studied and are credentialed to become classroom teachers. Behavior analysts studied and are credentialed to target functions of behavior and implement behavior analytic strategies. It doesn't matter if the DOE decides to continue to contract out for ABA services or if they devise a model to hire more BCBA's and have their EA's become RBT's; change needs to happen in order for our keiki to thrive. I implore you to not pass SB1311 & HB868. There needs to be support in place to help the DOE to ethically support our keiki in the boundaries originally passed by the licensure law; they are not exempt.

Thank you,
Sara Dinkelo
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Thank you,
Kayla Fox

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

There are so many great teachers and EAs that deserve to be provided with training in WHAT WORKS! This bill will allow the state to continue to not adequately train professionals that serve some of our most vulnerable members of society.

Thank you,
Emaley McCulloch
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I have been a public education high school science teacher for 21 years. Having licensed professionals is critical in making the appropriate assessments and individualizing their educational plan to ensure the best possible experience for students needing specialized services.

Thank you,
Iris Kahalelio
Waialua, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki.

Thank you,
Israel Prieto
Mililani, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Thank you,
Dorothy Danaher
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

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Thank you,
Duke Keaunui
Ewa Beach, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
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2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Thank you,
Cassandra Welch
Kapaa, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

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Thank you,
Wennyzl Cabida

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Our keiki diagnosed with autism, and other developmental disabilities deserve the upmost adequate behavior services from a licensed BCBA. This bill will only succeed under the condition that our public schools employ licensed BCBAs whom will carry out the implementations of the behavior programs and school psychologists, teachers, educational assistants, occupational therapists, school social workers, guidance counselors, speech-language pathologists and audiologists acquire the RBT credential to follow through with the execution of behavior plans authorized by the school's designated licensed BCBA. Our most vulnerable population deserve treatment from a competent professional, which entails the supervision of a licensed BCBA. This bill is a direct target towards the failure of empowering our special needs keiki and their lives. Please modify this bill to the suggestion stated above, or stop this bill altogether.

Thank you,
Yasmin Kurdi, M.S., Behavior Analysis
Wailuku, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki.

Thank you,
Elizabeth Castillo
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

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Thank you,
Kī'ope Raymond
Kula, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki.

Thank you,
JennyLee Nakamura
Pukalani, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki.

Thank you,
Brent Dell
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am in opposition of HB868 and SB1311 bills. I am a Behavior Analyst and work primarily with children with Autism. One of the challenges I face is collaboration with the schools in better supporting our client in other settings. We all know that consistency across settings maximizes the learning potential and ability for our children to acquire and maintain the skills taught. During observations in the school setting, there are many circumstances when challenging and negative behaviors are heavily reinforced because there is not a qualified professional that can put an appropriate plan in place to address these challenges. Even when offering support for the child in the school setting at no expense to the school, the school often rejects the collaboration and support. How is this helping the student? Behavior Analysts are required to receive extensive education (Master's level and ABA coursework at an approved university or college), fieldwork supervision (1500 hours), and pass the board exam. We are also required to follow best practice based on ethical guidelines and code of conduct. Not many individuals who pursue this field easily meet these requirements, which clearly shows the rigor in the quality of the education, training, and exam. How can you say that anyone can provide behavior analytic services??

Thank you for your time,
Sheena Garganian, M.S., BCBA, LBA
Mililani, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki.

Thank you,
Chelsea Householder
Lahina, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I oppose this bill. It is time our elected officials begin to represent the needs of their community members!!! Would someone please step up and do the right thing?! Please vote no on this bill. Our children need you.

Thank you,
Don Ford
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

MUST have trained ABA professionals that KNOW what they're doing!

Thank you,
Sandra Conner

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Come on you guys. Is this really your best?! If it is, please retire. We don't need people like you helping our special needs community. Find you courage and do the right thing! Vote no on this bill.

Thank you,
Jacque Ford
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

In my professional opinion, as a licensed Occupational Therapist, I oppose HB868 and SB1311. As it states: "RELATING TO EDUCATION. Allows an individual of a school-based profession to engage in the practice of behavior analysis without being licensed as a behavior analyst; provided the unlicensed individual does not use any title or description to state or imply that the individual is a licensed behavior analyst." The students deserve licensed and credentialed providers to implement strategies in their trained specialties.

Thank you,
Lynette Kanelos
Makawao, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My daughter is writing this email for me. I had a severe stroke in August which has left me unable to write. But even with my deficits I can still smell a rat!!! I am 75 yrs. old. I have given up on believing, our elective representatives care about anyone, but themselves. Please vote no on this bill. By voting no. You all have the opportunity to place our children's needs above greed for power and money. I have only one question for you all. If not you all, then who will do the right thing for our children?!

Thank you,
Sandra Starbuck
Kula, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I strongly oppose HB868 and SB1311. I feel that it would be an injustice and disservice to our keiki that deserve the best care possible from a trained, qualified behavior analyst.

Thank you,
Caroline De Jesus
Mililani, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am Catherine Wilson, a licensed BCBA in the state of Hawaii and the owner and operator of a behavioral company called ABA Positive Support Services. I have been a behavior analyst for over 20 years. I want to note that I do not currently or have intention in the future to hold a contract with the department of education for behavioral services. As a long time BCBA in the state of Hawaii I have a historical perspective of DOE services. I was a senior consultant of a company called BCRC for over 5 years. BCRC was a California company who was brought over to Hawaii as the result of the Felix Dissent decree. This was when Hawaii's DOE's services to children with disabilities was so poor that the federal government came in and took over. Bill HB868 and SB1311 is a clear demonstration that the state of Hawaii continues to try and skirt their responsibility to provide children with disabilities with appropriate and effective services. Act 199 are designed to protect children, to care for children, to assure effective treatment for children. What about this could the Department of Education possible disagree with. Will it be time consuming? Will it require some up front work on the part of the DOE? Yes. It was for my company but I was happy to do it. I knew it was raising the level of services for children here. Will it be expensive? It does not have to be. Parts of the DOE are completely ready for this legislation and to my knowledge are in compliance. The windward district has put their behavioral staff through the BCBA courses and even contracted with Dr. Partington to provide supervision. There is no reason why the other districts have not followed this model spear headed by Elitha Gomez. To vote for bill HB868 and SB1311 is a vote against the children of Hawaii. It's a vote against children with disabilities. It is a vote against effective treatment. It is not OK to "babysit" these children until they age out at 21.

Thank you,
Catherine Wilson

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

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Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I strongly oppose HB868 and SB1311. I have a nephew with special needs who is in the DOE and he deserves the best support services possible provided by a trained and qualified board certified and licensed behavior analyst.

Thank you,
Noel De Jesus
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Being a parent of a special needs child I am particularly interested in opposing this bill. I fought for and won qualified outside services to work with my son as a student and so happy I did. He is now 22 working and drives a car. To shortchanged our keikis with unlicensed, unqualified personnel to save a few bucks is a sin. Please do not allow this exemption. My son can now contribute to society with the skills he learned. Putting his life in the hands of unlicensed and uncaring personnel would have probably had a different result. Thank you.

Thank you,
Bill Pulliam

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

As a parent of a child with special needs, I strongly oppose HB868 and SB1311. He needs to have support services that are provided by trained, qualified and experienced BCBAs.

Thank you,
Jane Schramko
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My daughter is 6 years old and has only recently been diagnosed with ASD. She has multiple behaviors and signs of autism but the DOE teachers are not able to distinguish that her behaviors were clearly autistic. My husband and I requested numerous times for an assessment but we were denied every time. Finally, my daughter did get some evaluations but the unqualified DOE personnel produced unreliable and questionable results. A newspaper article recently cited the woeful lack of qualified DOE personnel and noted that changes must be made to be up to federal standards. The bills being introduced aim to skirt around the federal guidelines. This would be completely detrimental for all of the children who depend on the DOE and the state to do the right thing and not sweep this under the rug. Applied Behavior Analysis (ABA) is an intense regimented program designed to be highly individualized for each child. Only those who are educated and certified with the most latest requirements should be allowed to formulate each child's program. If ABA is not applied correctly, then the behaviors can easily get much worse. Non-qualified educators may cause many more problems for which the child would have to endure. ABA is the only program that the US Surgeon General approves for autism instruction. If we do not address autism correctly, the burden to society in the near future would be undeniable. The rates of autism is increasing and research has shown that early intervention is the best chance to improve the lives of autistic children. But early intervention must be done correctly with qualified ABA individuals. I strongly urge that these two bills be rejected. Please be an advocate for Hawaii's children who cannot speak for themselves!

Thank you,
Julie Ito
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

All other professionals in schools need to be licensed-OT SLP Teachers. ABA should be the same. Also behavior analysts can address life threatening behaviors-this practice must be regulated!

Thank you,
Angela Craven

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am writing in OPPOSITION of SB1311. Hawaii State law requires licensed and qualified providers to design and oversee services for vulnerable populations --the Department of Education should NOT be exempt from following this law. Our keiki deserve better. Our teachers deserve better. Do what's right and malama our keiki.

Thank you,
Derek Wilson
Kihei, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I oppose this bill because my daughter needs qualified BCBAs to work with her!
Please don't just let anyone work with our keiki with ASD. They truly need qualified care. Thank you!!!

Masako Nakasone

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Thank you,
Chie Edwards
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Would you opt for surgery from someone sans license?

Thank you,
Stephen Eric Bryden
Ft. Wayne, IN

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

As a mother of a child with Autism, we need ABA therapists or BCBA's in the schools to be licensed so that they have the proper qualifications to help our children. If they don't need to be licensed to use ABA, how will we know if they are qualified? I strongly oppose this bill.

Thank you,
Brandi Picardal
Waipahu, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My mother was a teacher for over 20 years and she relied on her in class support teachers to help with those extra attention students so that she could handle the rest of her class.

Thank you,
Ashley Nowakowski
Kihei, HI

Monday, March 30, 2016
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii children need certified and licensed providers to ensure they are provided with the best care possible and are able to meet their full potential. Utilizing untrained or unlicensed individuals may cause undo harm to our children in need.

Thank you,
Dominique Bale, Psy.D.
Pearl City, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

my sister is Jennifer Felix who with the fight of my mother, Frankie Servetti Coleman has had a huge impact and influence for special needs children of Hawaii. It is important for all children and adults with special needs to receive the right care from professionals. If my sister had received care from licensed professionals who really knew what would benefit her life from day one her story may have been very different. I think the passing of this bill would be discounting the careers of people who have done the work to become licensed and educated in this field.

Thank you,
Candace Coleman
Oakland, CA

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I have a cousin in Hawaii with special needs. Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Thank you,
Jessica

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I have a niece, jennifer Felix, who grew up on Maui. Jenny has autism and has required aid all of her life. There is NO WAY an untrained worker in her area of need should be hired to care for her. I have witnessed many things in her care, both good and bad.

Thank you,
Francine Lambeth
Seal Beach, CA

Monday, March 30, 2016
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My son is 7 years old and has not been verbal until we started therapy with a highly skilled skills trainer under the supervision of a licensed BCBA. My son has been with the DOE since 3 years old and we had to fight to have a highly qualified ABA tutor on my son's team. We finally got one this year and it has made all the difference. The DOE does not train their staff nearly as much as an outside provider does. I have seen a significant progress with my sons language skills since hiring an outside provider who has a BCBA to over see his program. My son deserves an ABA program from a licensed and qualified provider. The DOE has not shown that they will ensure quality training as my son's experience with them proves. My son needs intensive ABA therapy from a highly qualified BCBA and from an agency that's sole purpose is to provide this systematically through applied behavior analysis therapy. ABA therapy is an evidenced based method to effectively teach children with brain deffeciets. If the treapy is not done by a highly qualified ABA tutor there is no guaranteed that the data is true or helpful.

Thank you,
Jennifer Teves
Hanapepe, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Thank you,
Brandi Kalaukoa
Kapolei, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My son has tourettes syndrome and has multiple IEP meetings to help his teachers understand his neurological disabilities. I really would appreciate that there were more teachers who would take on the responsibility to actually study and know everything about certain students disabilities. Before taking on a teaching position with special needs kids. We as parents we need to take on the responsibility to take these kids to proper care as well as doctors psychologists and physicians to make sure that he can acquire certain needs or be able to function in the real world so I think that it's fair for us to say that our children's should be qualified at all times for the sake of our children and the future adults of this world. Thank you.

Thank you for your consideration,
Amber Jean Pascua
Waianae, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Thank you,
Kathleen J McKay

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Students deserve the best. Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Thank you,
Kalahiki Long
Kaneohe, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My son has not had a licensed provider in his classroom since the new bill was passed. The DOE is getting away with another injustice to my son who has Autism and ADHD. Please help my son by not allowing the DOE to continue to break the law that we fought so hard to protect our Keiki and give hope to their future.

Thank you,
Chanel Wahinepio
Mililani, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My son is autistic and due to his condition he is unable to communicate what he wants, needs, if he's hungry, etc.... If the behavior specialist is untrained to deal with his condition they not know how to properly teach him to become independent like all parents of children with his same condition can only pray for.

Thank you,
Micah Ige
Honolulu, HI

Monday, March 30, 2016
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

My autistic grandson living in my home would not be where he is today in development had it not been for the skills of his therapist. I shudder to think he could have been a vegetable under a less than professional option. These are our keiki. Save them by applying discernment, with compassion. What if one of these born in like manner were yours, or your childs. Please consider wisely.

Thank you,
Gloria Wahinepio
Mililani, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am an individual born and raised on Big Island. I am currently a registered behavior technician and am pursuing my coursework to become a BCBA. The reason I chose to do this was simply to be ablessed to provide families and children the proper support and care that they deserve. Allowing professionals who do not have a BCBA license practice behavioral analysis is similar to pharmacists without the vital knowledge of each drug filling prescriptions. Families who need extra assistance deserve qualified professionals who have the knowledge and skills to create appropriate treatment plans that are individualized to their child as well as follow the science of ABA ethically and appropriately. A license is necessary to be able to determine qualifications.

Thank you,
Lauren Vieira

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

As a Registered Behavior Technician earning my doctorate in Psychology, I can attest to the importance of licensed professionals overseeing the treatment of children in any therapeutic or learning setting. I have seen, first hand, the negative effects of children with Autism Spectrum Disorder and other developmental and psychological disorders being "treated" by those who have not been specifically trained in an evidence based therapy. Licensed ABAs and Psychologists trained for years to be able to give our children the best and most effective treatment possible. If you support HB868 or SB1311, you will be agreeing that our keiki deserve subpar care. In order to give kids the best chance possible to become functional, contributing members of society, we need to make sure they are receiving the appropriate treatment now.

Thank you for your time and consideration.
Shannon Pickett
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Aloha. I am currently an RBT who has the privilege of working with children with developmental disabilities for over 3 years now. The training has helped me immensely by ensuring that I deliver optimal ABA therapy to the children I serve. I have seen countless progress throughout the years with this type of therapy-therapy which has a huge scientific backing. I strongly urge you to require that highly trained professionals (RBTs and BCBAs) work with our children. Hawaii's keikis deserve every advantage availed to them.

Mahalo.
Verma Fe Sagaysay
Kunia, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

After seeing first hand what properly trained RBTs and BCBAs can help children with Autism achieve, I whole heartedly believe that our kids deserve every advantage they can get. Their education should not have to suffer from corner-cutting. I strongly urge you to oppose this bill.

Thank you,
Darren K. Sagaysay
Kunia, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Heather Vander Linden-Dozier
Kailua, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

James A Riswick-Estelle
Honolulu, HI

Monday, March 30, 2016
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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Kim Glatley
Kihei, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I believe that children with special needs should be provided with care by licensed teachers

Thank you,
Anna Stutzman
Kihei, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I have 2 sons who are in sped Ed. They both currently having well ABA trained assistants from agency. In past our sons had those EA and /or PPT From DOE who had a minimum knowledge of ABA or not at all. In those times both of my sons regression was something I can't take back. All our IEP team members agreed and recognized by their own eyes how those personals make a life alter changing for special need children. Also from environmental prospect, DOE should have those outside well trained resources for improving each and every kids instead of try to do " one size fits all" kind of way by providing every profession within the department. It's more crucial those skilled, educated professional can impact our sped. Kids. I do strongly disagree of this bills.

Thank you,
Mayu Hosoya Akazawa
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

To whom it may concern, I am writing to oppose HB686 and SB311. First, this law is very poorly drafted by any official writing standards. I am proud of this legislative's constituents that rightly exercised their constitutional responsibility to protect the health safety and welfare of its citizens when they passed the new law requiring Hawaii state licensure for behavior analysts. How much money would the DoE need if they were to pay for licensed behavior analysts and for RBT training of other DoE employees? How much money does the DoE and Hawaii Teachers union annually spend on legal, administrative, and processing fees for discretely handling cases arising from another DoE employee's incompetence resulting in harm of a child physically and emotionally? Ask yourself why the urgency to so quickly throw this slipshod bill together and have it voted on almost immediately? I implore this legislative body to: - table the vote until more information is collected and provided to you; - take your time to look at how the laws stipulations and practicality of functional operability; - request a qualified legal counsel reformat the proposal to at least appear thoughtfully credible; -and take your time deciding if you want more accountability for those working with special needs children attending Hawaii state public schools. Thank you.

Kelcie Noelani Awo
Waianae, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am a mother of a brilliant, extraordinary, beautiful eight year old boy whose smile and laughter can capture anyone's heart. Since being diagnosed with Aspergers at four years old, he has taught me so many things about life and love. My son, just as every other child, are the future adults of Hawaii and this country. Children who receive ABA services should not be denied the right to have trained, qualified professionals in their schools. Behavior analysis is the best tool we currently have right now to help those with autism and those on the autism spectrum. Why would you even think of taking the most crucial, helpful thing our sons and daughters have by allowing just "anyone" to teach this very specific, precise practice? Children are taught by qualified teachers teaching math, science, reading, etc. Why should my child be denied the same rights and privileges? This is extremely discriminatory. This bill cannot and should not pass. Our children deserve the best, qualified treatment, just as they deserve the best, greatest future!

Erin M. Hendricks
Waipahu, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

our keiki deserve licensed, qualified, trained providers

Thank you,
Calei Ewing
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

It's a no brainier. Out kids need these services.

Caroly Czar-Delima
Wailuku, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Our children need qualified professionals to make the most of their educational experience not babysitters. All children have different needs; don't provide less to children who have special needs.

Thank you,
Teri S. Evans
Haiku, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

All children in the state of Hawaii should get quality ABA and no substitutions. ABA doesn't just benefit children with Autism but with all children that have behavioral issues that impact their learning.

Thank you,
Donna-Shemain Nazarchyk
Waipahu, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

This can not happen. There is a reason training, education and techniques are important. There is no way someone without all of these can be of benefit to anyone with special needs. Please rethink going ahead with this!!!

Thank you,
Lori Steury
Harlan, IN

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Children with autism need qualified behavior analysts to help them to gain the skills they need.

Thank you,
Sandra Bunnell
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
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Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I care about the quality of help that children with behavioral issues receive in the state of Hawaii. These children have a right to the same consumer protections as any other child in Hawaii.

Thank you,
Billie Vieira
Honolulu, HI

Monday, March 30, 2016
COMMITTEE ON FINANCE
Representative Sylvia Luke, Chair
Representative Scott Y. Nishimoto, Vice Chair

2:00 pm
Conference Room 308
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I have spent the last several years volunteering and later working in one of Kauai's public school preschool programs. I have seen our students improve and flourish under proper ABA programming, overseen by liscensed and trained professionals. I've spoken to countless educators who recognize the benefits of ABA and it is apparent when a child is receiving top of the line support. After witnessing such successes, I became determined to help fill the need for additional services. As of this month I have been accepted into the number 1 and number 3 special education masters programs in the country, with my primary goal being to receive the training necessary to receive board certification as a BCBA and return to Kauai and share my knowledge and training. I've chosen to take on more debt and spend two years on the mainland away from my home in order to provide professional and qualified programming to our keiki. Please don't make the sacrifices of myself, and other professionals, in vain. Our keiki need, and deserve, the best services and this can only occur if trained professionals are given the opportunity to provide such. Please do not provide DOE exemptions from providing liscensed and trained services to our keiki. Students in need of such services deserve the best and we can not let them down.

Aloha!
Maddisen Domingo.
Kapaa, HI

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

These children need specialized education. Morally and legally they have a right to it.

Thank you,
Jim Wagner
Kihei, HI

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Autism is an educational, medical, social and behavioral disorder that ranges from child to child, adult to adult. It is complex and producing change to increase functional skills requires expertise.

Thank you,
Susan Varsames
Lahaina, HI

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This bill is detrimental to Hawaii's children who have a mental disability. I am currently dealing with a situation where the DOE is utilizing non licensed staff to perform ABA therapy for the last year and has not been effective at all. In fact, he is regressing. Behaviorly he has tantrums as if he is 2 years old, even though he is 7 years old and linguistically is a 7 year old. My son received ABA from a licensed staff when he was under the 0-3 program and it worked wonders. He was rejected from entering a DOE school when he was in preschool due to their negligence of the law and I fought the case for 2 years. By that time my son was 5 years old and kicked out of 4 preschools and a summer program at the YMCA. This is equivalent to letting those without medical license who studied books and took some classes in medicine to practice medicine. This is unheard of and not only will those individuals be ostrasized by society, they would be sent to jail for practicing medicine without a licence. Please do not let unlicensed personnel to provide ABA to Hawaii's disabled children!

Kind Regards,
Alex Kang
Kaneohe, HI

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Our children deserve the best quality care we can possibly offer them (nothing less).
Afterall, we are investing in the future.

Thank you,
Katherine Velasco
Kapolei, HI

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections. I OPPOSE this bill.

Amanda Teweleit

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

To whom it may concern,

First of all I would like to thank you for taking your time in reading my testimony about these proposed bills in reference to ABA training in school. I am a proud parent of a beautiful and bright 6 year old, Johnna. Johnna was diagnosed with Autism back in 2014 and ever since then she has been having home & clinic therapy with private ABA company through the help of our military insurance provider. Moreover, during our whole experience with ABA, Johnna has improved significantly by means of talking more often and just blossoming into a wonderful child that she is. Johnna is also in school, now a first grader in a Special needs classroom along with 3 or 4 more classmates. She has had the same instructor/teacher since pre-school. But every IEP update conference we attend with the school, it's always the same remarks, no improvements on Johnna's part, and report cards are the same repetitive remarks. But based on what we see her do as far as her homework assignments she brings home and do and what she does with her ABA therapies, she amazes us how fast and accurate she gets everything done. And it does not reflect on her school paperwork, maybe you need to look into to SPECIAL EDUCATION INSTRUCTORS more and see if they are being fair or they just trying to keep the pay check coming. Anyways, I am more comfortable with our ABA providers because I think without them Johnna and others like her could benefit from them due to their one on one training method. School won't have enough time to deal with each child based on my observation from the school she goes to. I swear if this bill is passed and becomes effective, I will pull my child out of school and do home-school with her just to keep the ABA program for my child. Thank you for your time and understanding. If there should be any questions or concerns please don't hesitate to let me know.

Sincerely (Concerned Parent),
Sheyna Henry
(808) 683-8273 sheyn1@yahoo.com

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Children deserve the very best educationally, psychologically and nutritionally. They are the most important people on this planet and should be cared for by licensed care givers and teachers who have been trained to work with students with different abilities as well as students in general Ed settings

Thank you,
Kim Corbin
Kailua, HI

Although our teachers are hard-working, they do not have the training, knowledge or experience in the type of instruction necessary to teach my son-applied behavior analysis. Our children deserve access to behavior analysts who

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

can help them and their teachers reach the goals set for them in academics,
social and behavioral goals. Educational Assistants do not have the training
needed to implement this type of instruction- unless they are Registered
Behavior Technicians. Please don't pass a bill that would PREVENT my son from
getting the effective instruction he needs.

Mahalo,

Kate Disney
Wahiawa, HI

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Last year it was determined that licensure was necessary to ensure that behavior analytic programs are designed and implemented by qualified individuals. In order to become a licensed behavior analyst in the state of Hawaii one must become certified by the Behavior Analyst Certification Board by meeting these requirements: 1. Hold a master's degree in the field of applied behavior analysis, education, or psychology. 2. Complete 270 classroom hours of graduate-level instruction from specific content areas from an accredited institution. 3. Gain experience under the supervision of a Board Certified Behavior Analyst though either supervised independent field work (1500 hours), a practicum (1000 hours) or an intensive practicum (750 hours). 4. Pass the Behavior Analyst Certification Board Exam. At public school campuses, there are students with developmental disabilities and problem behaviors that require the use of applied behavior analysis in order to remain in their least restrictive environment and access meaningful education with their peers. In my experience working on public education campuses with students with special needs, efforts to implement applied behavior analysis by untrained individuals are usually ineffective and/or harmful. Techniques that may seem simple to a lay person are actually quite complicated and require constant adjustments based on the individual and their progress. When determining the requirements for certification and licensure, experts agreed on the level of education and experience needed to develop the necessary skill set to provide behavior analysis services. There are teachers, paraprofessionals, and even many school behavioral health specialists that do not meet the requirements to legally provide applied behavior analysis.

Paraprofessionals often have no training requirements prior to beginning work

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

and spend more time with their student than any other school employee. They usually do not receive any training in behavior analysis. Without training and supervision from a behavior analyst, the behavior support plan is often abandoned in favor of ineffective reprimands and threats resulting in frustration to the student, teacher, and paraprofessional. Why should the requirements to practice behavior analysis be completely disregarded in the most important environment that reaches the majority of Hawaii's children? Public schools should adhere to the same requirements as any other practicing individual to fulfill their ethical responsibility to provide effective evidence-based interventions to their students.

Mahalo,

Brynn Gute
Honolulu, HI

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Behavior analysis should only be provided by those with the education and experience to do so, which is why licensure was passed. Children spend more time in school than anywhere else so it is the most important environment to have qualified providers. The Department of Education has a responsibility to ensure that students receive high quality behavior analysis when it is determined that they need it. It is unacceptable that they are seeking a loophole to avoid hiring qualified professionals and providing necessary training. Why would an individual with no experience or education in behavior analysis be restricted from implementing an ABA program privately for a family but be permitted to do so as long as it's in a school setting? Shouldn't we be searching for ways to improve school services and help students participate in inclusion classrooms?

Mahalo,

Scott Love
Honolulu, HI

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I know several people that currently work in the behavioral health profession and this would not only be a slap in the face to their lifelong hard work, but also to the clientele that they work with every day. In time, this bill will practically turn their profession into some glorified form of babysitting rather than rehabilitating these patients who are desperately in need of proper treatment. These patients need trained workers who have the necessary background that is needed to work in the field.

Mahalo,

Anthony DeBlasio

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

These children deserve to be given the proper services to meet their needs. In order to make sure that the needs of these children are met they deserve qualified providers that can implement these teaching strategies to them, this means that providers should be required to be licensed in order to provide services.

Mahalo,

Kayla Jones

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

If passed, this will cause harm to our keiki. Applied behavior analysis is backed by over 50 years of research and can be effectively implemented by properly licensed professionals. Professionals in the DOE setting can not effectively use evidenced-based practices without proper training and support from licensed professionals.

Mahalo,

Sara Dinkelo
Honolulu, HI

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Dear Legislators, It is critical for the future of our children to have trained and certified behavioral analysts working with them to provide them with what they need. Please do not fall to pre-Felix conditions by not providing this crucial part to the success of our children.

Mahalo,

Frankie Servetti Coleman
Kihei, HI

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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Bill HB868 is an attempt to undermine previous legislation that has passed and will directly harm our Keiki from getting appropriate services in school settings. Children with autism deserve to receive the best in services from licensed professionals. The Department of Education needs to be held accountable in making sure that applied behavior analysis services be delivered and supervised by a trained, qualified and licensed Behavior Analysts. This bill would degrade previous legislation and the strides taken by the state of Hawaii to support our citizens with special needs.

Thank you,

Suzanne Machos
Kaneohe, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I oppose this bill because licensing requires specific levels of education and training, which is vital to carrying out ABA practices correctly and effectively. Allowing DOE employees to practice ABA without licensing is irresponsible and can cause more harm to children.

Mahalo,

Tammy Chang
Honolulu. HI

Monday, March 30, 2016
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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

All people with behavioral needs in DOE require by law a licensed behaviorist to access and provide services for the benefit of the individual in need. The State needs to bring in more qualified people to meet the demand, not underhandedly create legislature to evade their responsibility. Refer to the Felix Degree and the Medicaid Final Rule legislature. It is the law to keep behaviorist in place.

Mahalo,

Christina Chang
Wailuku, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Like so many health issues, if dealt with early and by a professional or specialist, a better health outcome can be achieved. I realize there is a shortage of BCBA's in the DOE, but changing where the finish line is to "fix" things is not good for the child or the DOE and it's reputation. I very strongly urge that you not make an exemption for the DOE and hold them accountable for what they were initially assigned to do. It's the right thing to do.

Sincerely,

Chuck Page
Kihei, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

This bill is NOT a good idea. Having BCBA's and RBT's is imperative in the lives of the youth that need these services!

Mahalo,

Angela Walker
Wahiawa, HI

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I am a certified behavior analyst and a licensed Behavior Analysts in the state of Hawaii. I am writing to inform my Legislators that it is extremely important that Bill HB868 does Not pass to become a law. This attempt to undermine previous legislation will directly harm our Keiki from getting appropriate services in school settings. In light of recent developments which highlighted the improper, illegal, and harmful methods used by unqualified "professionals" in public school settings to deal with children with special needs, it is paramount that the Department of Education be held accountable in making sure that applied behavior analysis services be delivered and supervised by a trained, qualified and licensed Behavior Analysts. This bill would degrade previous legislation and the strides taken by the state of Hawaii to support our citizens with special needs. When unqualified, and untrained paraprofessionals attempt to modify behavior through behavior analytic procedures not only will our children be left behind, not getting appropriate care, but there is a very high chance that serious harm can and will be done to the development of children with special needs. We must not allow financially driven politics to take power away from the voting public and harm our children. There is only one way to vote today! NO! on Bill HB868!

Thank you for your time,
Kyle Machos M.S., BCBA LBA
Kaneohe, HI

Monday, March 30, 2016
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Testimony in **OPPOSITON** of **SB1311 SD2 HD1**-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. We should not expect our teachers to teach and provide professional behavior analysis.

Mahalo,

James Murphey

Monday, March 30, 2016
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Testimony in **OPPOSITON** of **SB1311 SD2 HD1**-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. The Department of Education should not be allowed an exemption to previous legislation of the licensure of behavior analysis.

Mahalo,

Nicole Pleiss
Haiku, HI

Monday, March 30, 2016
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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

A very recent example why this bill is not helpful and likely detrimental to the wellbeing of the very children and families it claims to help, is the recent news story and photo of a child tied in his chair at a public event at his school. This deplorably inhumane and abusive situation is a very real and unfortunate example of why we need standards and training and certification for practitioners of ABA. Most certainly were this child working with a qualified, licensed practitioner of a documented, proven therapy, he would not have been tied to a chair like a criminal! Do we or Should we allow unlicensed people who "claim to be trained surgeons" to do surgery? We require licenses to practice medicine, law, to drive, to teach, to cut hair. We must also have high standards of training, professionalism, with proven methods taught and used consistently throughout all services children and families receive so that children can receive the benefits of consistency and a positive and supportive environment. Please oppose HB868 and support safe, effective, proven therapies with competent, trained and licensed practitioners. We can't put innocent children at risk of abuse by untrained, unlicensed individuals no matter what these individuals claim are their credentials or intentions.

Mahalo,

Leah C Quittner
Makawao, HI

Monday, March 30, 2016
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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. The Department of Education should not be allowed an exemption to previous legislation of the licensure of behavior analysis.

Mahalo,

Jessica Baker
Lahaina, HI

Monday, March 30, 2016
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Testimony in **OPPOSITON** of **SB1311 SD2 HD1**-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill.

Mahalo,

Danielle Talon

Monday, March 30, 2016
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Testimony in OPPOSITON of SB1311 SD2 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

This population already has daily challenges which are impossible to fix. It would be inhumane to identify a solution which studies have confirmed is highly effective, and choose not to implement it. Just because it would be time consuming and expensive. SHAME ON ALL OF YOU WHO THINK THIS IS ACCEPTABLE!!! Please do the right thing. Allow me to remind you, with great power comes greater responsibilities. Vote as if your child was inflicted with this disorder and needed your help.

Mahalo,
Jacque Fors, RN, BSN
Kihei, HI

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Applied behavior analysis can be a life altering intervention for individuals with disabilities and their families. ABA can make the difference that the family and individual has been hoping for. These are only a couple of reasons why it is imperative that the DOE professionals need to be highly trained, qualified and overseen by licensed professionals qualified to provide ABA services. The children of Hawaii deserve licensed, qualified and trained professionals.

Mahalo,

Jessica Carvalho
Kaneohe, HI

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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony for consumer protection. I **OPPOSE** this bill. Our keiki deserve qualified professionals and our teachers deserve support!!

Mahalo,
Carter Keegan

Monday, March 30, 2016
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Honorable Chair Luke, Vice Chair Nishimoto, and members of the committees,

I raised a special needs child, who is now a successful young adult. Believe me, it was in spite of the Dept. of Education, not because of it - as there was no good high school placement, I home-schooled her. She now has an AAS with honors from UH/MC. The Dept of Ed should NOT receive special treatment with regard to employee qualifications. They don't know what they're doing with the standards already in place.

Mahalo,

Irene Newhouse
Kihei, HI

JOHN P. DELLERA

Attorney at Law

619 Ahakea Street
Honolulu, HI 96816
Telephone 808 739 9078

**TESTIMONY IN OPPOSITION TO S.B. 1311, S.D. 2, H.D. 1
RELATING TO EDUCATION**

**HOUSE OF REPRESENTATIVES
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2016
COMMITTEE ON FINANCE**

Wednesday, March 30, 2016, 2:00 P.M., Conference Room 308

The Honorable Sylvia Luke, Chair
The Honorable Scott Y. Nishimoto, Vice Chair

Dear Chair, Vice Chair, and Members of the Committee:

I am testifying IN OPPOSITION to S.B. 1311, S.D. 2, H.D. 1. The Bill would allow the Department of Education (“DOE”) to provide applied behavior treatment to students with autism through individuals who are not licensed professionals and who may be unqualified.

This Bill, as amended by House Draft 1, would exempt the DOE from the requirement in Act 199 of 2015 (codified at H.R.S. §465D-4) that applied behavioral analysts be licensed. HMSA testified last year in support of that requirement (S.B. 40, 2015 Session), stating:

“Given the specialized nature of services that are necessary for children with autism spectrum disorder services, it is imperative that those providers be of the highest quality. A licensure requirement will help to ensure those service providers to whom we will entrust those children, meet those professional standards.”

This Bill conflicts with provisions of State and Federal law: (i) the autism insurance legislation enacted last year (Act 235 of 2015, codified at H.R.S. §431:10A-133) requires that applied behavior treatment be provided only by a person who is licensed by a state licensure board; (ii) Medicaid rules provide that reimbursement for applied behavior treatment be made only to licensed providers; and (iii) IDEA regulations require that the DOE provide related services (including applied behavior treatment) *only* through individuals whose qualifications are consistent with State licensing requirements. 34 C.F.R. §300.156.

The foregoing mandates establish a standard of care that would likely be applied in litigation filed on behalf of students with disabilities. The exemptions for the DOE provided by this Bill would place children with disabilities at risk, deprive them of needed services, and expose the DOE to supplemental service awards, the cost of private school placements, and attorney fees and costs that could be avoided if services were delivered by qualified personnel.

On June 1, 2000, the U.S. District Court held the State in contempt of court in the *Felix* case for failing to increase the number of qualified special education teachers. *Felix v. Waihee*, D. Haw. Civ. No. 93-367 DAE, Doc. 317 (June 1, 2000) at 25. The DOE's use of unlicensed behavior analysts would be objectionable for the same reasons as its contemptuous behavior in *Felix*.

Section 1 of the Bill states that its purpose is to ensure that behavioral services continue to be available while the DOE develops a professional workforce, but the use of unlicensed staff may well cause more harm than good. If DOE staff is unqualified, the Department should contract with third parties for licensed providers.

The DOE should ensure that applied behavior treatment provided through DOE employees and contractors complies with existing State and Federal standards. For the most part, the cost of services would be covered by health insurance under Act 235 of 2015, but the policyholder would remain liable for any deductible and co-payment. Those amounts should be reimbursed by the DOE based on its obligation to provide a *free* and appropriate education.

Under S.B. 1311, S.D. 1, DOE staff could provide portions of ABA therapy that fall within the scope of their own licenses (teacher, speech-language therapist, etc.) without also obtaining an ABA license. That is unobjectionable, but House Draft 1 would allow employees to provide services for which they are unlicensed by any authority simply because ABA therapy is required by the child's IEP. Such an exemption is overly broad, contrary to federal and state law, and it would place students at risk.

Accordingly, in Bill Section 2 amending H.R.S. §465D-7, the following changes should be made:

1. The words "or credentialed" in the first sentence of subsection (a) should be deleted;
and
2. Subsections (a)(2) and (3) should be deleted.

Thank you for the opportunity to testify.

Respectfully submitted,

John P. Dellera



Keiki Educational Consultants, Inc.

61-280 Kamehameha Highway, Haleiwa, HI 96712 – (808) 298-2658

COMMITTEE ON FINANCE

Rep. Sylvia Luke, Chair

Rep. Scott Y. Nishimoto, Vice Chair

Wednesday, March 30, 2016, 2:00 P.M.

Conference Room 308

415 South Beretania Street

Honorable Chair and Vice Chair and members of the committee,

My name is Amanda N. Kelly, PhD, BCBA-D, LBA. I have been working with children with autism and related abilities for over 16 years and am currently practicing as a Hawaii licensed behavior analyst (LBA).

I am submitting testimony in OPPOSITION to SB1311, HD1. While the HD1 version represents an attempt to improve upon the original version of this bill, I still have great concerns about the underlying purpose. I will be present at the hearing and available for questions.

I have seen no detectable, substantive changes on the part of the Department of Education to improve access to needed specialists for special education children, or to be in compliance with Act 199, since January 1, 2016. Instead, I have received multiple emails, calls, and social media messages from families pleading for guidance and support --based on their reports (and my firsthand experience) that children's Department Of Education services are being watered down by schools by removing existing licensed behavior analysts, refusing to staff Registered behavior technicians (RBT), changing behavioral strategies, and renaming these strategies to appear to be less behavior-analytic. These actions do not represent a Department that is working to improve services and instead these actions appear to be purely about circumventing the behavior analyst licensure law.

I'm of the opinion that we should support any organization that is "doing their best to do what's right". I do not see any evidenced action (aka behavior) from the Department of Education to indicate they are making any strides to improve services or comply with state law. With the passing of SCR153 earlier this week (which seeks a pilot project removing one-to-one supports), I have increased concerns. The Department Of Education is waiting until they are forced to do what is right by our keiki and their families. Everyone is suffering in the meantime.

It is likely that the Department of Education will take the stance that complying with existing state law (Act 199) will be too costly or require further analysis. What I can confidently tell you is that additional time and analysis is NOT needed. Our keiki do not have time. Time is money.

In regards to costs, I will simply say:

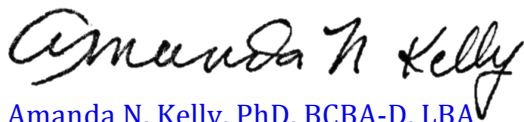
- Early intervention (EI) saves money
- Staffing adult clients 3:1, because they did not receive EI services, costs money
- DCCA/RICO imposed fines are misdirected monies
- Litigation costs money, a lot of money

In attempts to decrease costs, the training program needed for educational assistants to become Registered Behavior Technicians (RBT) is being offered to the public at free (or very low cost) by the University of West Florida ABA Online (Hawaii cohort). Of course, other options also exist, including Relias Learning (which is an online training platform). Certain districts on Oahu have purchased seats (which can roll over to new staff), so no additional costs are required. I was part of meetings with the Department of Education, in which we shared the cost of training an individual to become an RBT could be as low as \$305 per person, including testing and travel costs.

I would like to thank the Chairs, Vice Chairs and the HLTH/CPC committee members for offering language aimed at generating a potential compromise. However, based on discussions with the community, I remain in opposition of the intention of this bill, which seeks to allocate more time for the Department of Education. The DOE should not be allotted more time when they have made NO actions within the time that has elapsed thus far. What our keiki need are access to effective, evidenced-based interventions. What our teachers need are access to qualified and trained consultants and support staff.

The Department of Education must be accountable for complying with state law. I ask for you to join me, do what's right and malama our keiki.

Respectfully Submitted,



[Amanda N. Kelly, PhD, BCBA-D, LBA](#)

Executive Director, Keiki Educational Consultants
PH (808) 298-2658 / F (808) 441-0944

March 29, 2016

Representative Johanson and Committee on Finance,

I am strongly opposed to SB1311 being heard on March 30, 2016 at 2:00 p.m.

The DOE introduces this bill in an attempt to allow those that don't have a license to practice ABA to be able to advise and practice ABA as long as it is within their scope of education. This allowance would cause significant ramifications to our children and expose the state to further liabilities. It also continues to show how the DOE uses the law to their benefit by leaving out the true motive and downsides. They are not being completely transparent with their intentions. Why do they need to have a law in place to allow their employees to practice ABA without a license?

ABA is a very powerful application of a learning methodology. So powerful that it teaches the most severe autistic children how to communicate and behave appropriately to enable them to learn and become productive citizens. When ABA is applied with the most strict disciplines and management it is the most effective. When ABA is incorrectly used or managed loosely it can affect the child negatively for a lifetime or even possibly cause inadvertent death.

I personally have taken business law courses during college and yet I am not allowed to practice law in any capacity. The DOE is asking our law makers to allow them to practice ABA without any trained management oversight or plan for accountability. This is synonymous to hiring a bunch of unlicensed home repair folks to build a skyscraper without any blueprints. Board certified behavioral analysts are held to the highest ethical standards when practicing ABA and self-regulate themselves to ensure compliance. This bill will side step that need by allowing anyone with a few days of training to practice unconstrained without recourse. The end result will cause significant harm to our children and our education system.

Has the DOE presented any strategic plan to ensure all ABA plans, people and practices are managed, measured and overseen appropriately? ABA tracks very detailed data of a child's behavior which is utilized to alter their learning programs and is extremely fluid, changing within minutes, to ensure the most opportune time to address problem behavior. This process requires ABA certified, trained and experience leaders and managers to make minute by minute decisions by witnessing and engaging the situation within seconds of occurrence. If this bill passes the next logical step would be for the DOE to request additional funding for training and education since it is likely there will be many failures based on their lack of understanding and respect for ABA. Or they may ask for additional funding for headcount to manage an ABA program within the DOE. The point is that the DOE should propose a well thought out program to enable the most effective use of our tax dollars and prevent any wasteful litigation that could come from such poor execution of foresight.

For the time being the DOE should continue to rely on private parties to successfully deliver ABA services and programs and focus their attention on the already poorly run and financially inefficient

regular education system. There are hundreds who have testified to thousands of stories of wrong doing by the DOE proven by the amount of litigation they already face on a daily basis. The testimony of the autistic community speaks loudly towards programs outside the DOE that have worked for our children and continue to demonstrate success. This bill will not make the DOE a better education provider nor will it address the needs of our children but rather just use the law to protect themselves from being accountable both professionally and financially.

Thank you for the time to hear my opposition of SB1311.

Respectfully,

Bryan and Julie Ito

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

Conference Room 308
3:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 HD1-behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

First, thank you all so much for passing Act 199, to ensure the licensure of Behavior Analysts during the last session. I am writing today to lend my voice in STRONG opposition of SB1311 HD1. This bill would allow unlicensed and untrained individuals to provide behavior analytic services to keiki in Hawaii's public schools. I have several concerns with the bill in its current form which are outlined below.

1. The exemption for Autism Treatment should be changed to Behavior Analytic services to allow for service provision for all keiki in need of behavioral services.
2. The Department of Education has asked for an exemption to Act 199, stating that they need more time to be able to comply. I am **VERY** concerned that as of today, there are still no active job postings on the DOE website for either Board Certified Behavior Analysts (BCBAs) or Registered Behavior Technicians (RBTs).
3. At the Health and CPC hearing, the DOE stated that they are currently trying to get their own people certified as BCBAs, rather than hiring outside. Certification will take time. This is time our keiki may not have. Services need to be improved now.
4. The current system of contracted providers is costing the Department of Education about \$38 million a year. This system is broken and costing the DOE a massive amount of money for services that are ineffective and, at times, even harmful to our keiki. Contracted providers are not required to be BCBA's. In fact, the Department of Education changed the wording in the new contract to remove reference to Applied Behavior Analysis (ABA), yet continues to provide services that fall under the state definition of ABA. This is a waste of money and could potentially lead to an increase in lawsuits.
5. Ineffective programs lead to less or no progress. Children who are not progressing are at risk for needing lifelong services. Adults in DOH programs are frequently staffed at a high ratio (up to 3 staff members to 1 adult), leading to a much higher cost to the state in the long run. Children who make progress may be able to lead independent lives where they are contributing to society rather than in need of intensive services. In the long run, it will save our state money to provide children with effective services early on. Effective ABA services require oversight by a BCBA/LBA and provision of 1:1 hours by someone who has training and experience in ABA.
6. The ambiguity in the current version of the bill (referencing "educational professionals" as opposed to licensed teachers) may result in an increase in due process cases being brought against the DOE and could cost the state millions of dollars.

7. Many teachers are struggling. They are asking for help to create and monitor progress with behavior analytic programs. While they have the training and ability to use classroom reward systems, they do not have the training and skills to perform Functional Behavioral Assessments, Functional Analyses, and to create acquisition and behavior management programs. As licensed teachers, many in the DOE will fall under exemption #1 in Act 199, provided that they are not designing behavior analytic plans and are under the guidance of a Licensed Behavior Analyst (LBA).
8. There have been too many reports of abuse and neglect of our keiki in special education. These cases are avoidable with proper training and supervision by a qualified, Licensed Behavior Analyst. In addition to the harm to the children and families, these instances also cost our state money that could be better spent on prevention.
9. The goal of Act 199 was increasing consumer protection. I believe that is a reasonable goal that should be upheld, regardless of the setting. DOE should NOT be exempt.
10. The Department of Education currently contracts with Relias for online courses that will fulfill the 40 hours of coursework requirement for becoming RBTs. Additionally, UWF has stated that they are willing to provide free or low cost training for DOE and DOH employees to fulfill this requirement. This will help mitigate the cost of getting staff credentialed.

I believe the DOE should be responsible for hiring qualified professionals that can change the quality of services delivered. An increase in quality will go a long way toward increasing skills for our keiki, leading to lower costs to our state in the future. Just as preventive medicine lowers costs to consumers in the long run, quality ABA will lower costs to our state in terms of the need for life-long services and care.

Please, hold the DOE responsible for increasing quality, hiring qualified professionals (Board Certified Behavior Analysts and Registered Behavior Technicians), and providing services our keiki so desperately need. I urge you to oppose SB1311 HD1. This bill will do nothing but perpetuate harm for Hawaii's keiki with special needs.

Thank you for your time and your desire to do what is right! Let's continue to work together as a state to Malama Our Keiki!

Mahalo,

Lara Bollinger, M.S.Ed., BCBA, LBA

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 29, 2016 1:22 PM
To: FINTestimony
Cc: kathleenmpenland@gmail.com
Subject: Submitted testimony for SB1311 on Mar 30, 2016 14:00PM

SB1311

Submitted on: 3/29/2016

Testimony for FIN on Mar 30, 2016 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Kathleen Penland	Individual	Oppose	No

Comments: Aloha, Please oppose SB1311. Without effective treatment now, our special needs keiki will soon be special needs adults, dependent on state and federal funds to survive. Only licensed and qualified professionals can oversee effective ABA. Do not carve out the DOE from adhering to the law. If you do, our state will continue to see law suits and news coverage highlighting Hawaii schools' inadequacies. Do what's right, what is pono for our children. Thank you. Sincerely, Kathleen Penland, M Ed, BCBA, LBA

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.

Do not reply to this email. This inbox is not monitored. For assistance please email webmaster@capitol.hawaii.gov

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

Conference Room 308
3:00 pm
State Capitol
415 South Beretania Street

Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Josh Brustad
Honolulu, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
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Thank you,
Seth Hole
Honolulu, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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Thank you,
Eric Robinson
Kailua, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

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Thank you,
Jessica Rader
Honolulu, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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State Capitol
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Thank you,
Keith Emerson
Honolulu, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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State Capitol
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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

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Thank you,
Joan Shishider
Kanehoe, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Shaz Ribunam

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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3:00 pm
State Capitol
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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Melissa Moniz
Aiea, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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3:00 pm
State Capitol
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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Vickie Canada
Waianae, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

Conference Room 308
3:00 pm
State Capitol
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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

AaJoyce Lewis
Honolulu, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
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3:00 pm
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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Maria Gamboa
Honolulu, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
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Thank you,
Lyrica Clark
Honolulu, HI

3/30/2016

Committee on Finance
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Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Stephen Broadus
Kapolei, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

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Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Karen Tower
Honolulu, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

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Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Colleen Hodge
Honolulu, HI

3/30/2016

Committee on Finance
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Thank you,
Maria Duque
Honolulu, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
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Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Amy Wiech
Waialua, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Erin Hendricks
Waipahu, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Kriste Draper
Honolulu, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Rhoweniefel Murillo
Aiea, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

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Testimony in OPPOSITON of SB1311 HD1 -behavior analysis DOE exemption

Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Juri Ishida
Mililani, HI

3/30/2016

Committee on Finance
Rep. Sylvia Luke, Chair
Rep. Scott Y. Nishimoto, Vice Chair

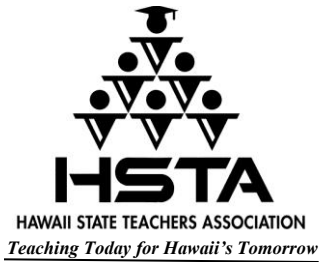
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Honorable Chair Luke, Vice-Chair Nishimoto, and members of the committee,

Hawaii keiki need licensed, trained, qualified, professionals in the schools. I'm submitting testimony to ensure all keiki that receive ABA have the right to the same consumer protections.

Thank you,
Jennifer RiveraPerez
Honolulu, HI



LATE

1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Corey Rosenlee
President
Justin Hughey
Vice President
Amy Perruso
Secretary-Treasurer
Wilbert Holck
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEES ON
FINANCE

RE: SB 1311 SD2 HD1 - RELATING TO EDUCATION

WEDNESDAY, MARCH 30, 2016

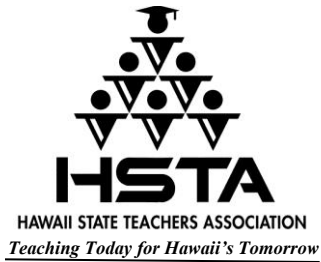
COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Luke and Committee members,

The Hawaii State Teachers Association **opposes SB 1311 SD2 HD1**, relating to education.

This bill, even as amended, leaves a loophole that would continue to allow unlicensed and untrained individuals to provide behavior analytic services to keiki in Hawaii's public schools, providing that they do not call themselves "Behavioral Analysts" or claim they are conducting "behavioral analysis". In section 1, number 1, it does not state that these individuals "working within the scope of practice or duties of another licensed profession that overlaps with the practice of behavior analysis" must act "under the direction of a behavior analyst licensed in this State" as is included in all other categories listed in numbers 2 through 7. Teachers would fall into this first category that would not require them to be under the direction of a behavioral analyst.

The new amendment in Section 2, 3B, would grandfather in students who have already been identified for Special Education services, prior to January 2016, with existing IEPs from K-12 to be exempt from requiring schools to provide access to certified Behavioral Analysts to conduct Behavioral Analysis and provide support for teachers and guidance on how to support their students. It would allow school personnel, referred to as "direct support workers", to conduct these tasks, without the certification to do so, as long as they don't "call in Behavioral Analysis, or call themselves Behavior Analysts".



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

Corey Rosenlee
President

Justin Hughey
Vice President

Amy Perruso
Secretary-Treasurer

Wilbert Holck
Executive Director

We continue to have serious concerns with this bill. Behavioral Analysis for our most vulnerable keiki is extremely important for our students with special needs, and many of these students fall into the Autism Spectrum.

According to The Behavior Analyst Certification Board (BACB) there are two kinds of certification for behavior analysts - Board Certified Assistant Behavior Analyst (BCaBA) and Board Certified Behavior Analyst (BCBA) (www.bacb.com). The BCaBA credential is conferred on applicants who have earned at least a bachelor's degree in behavior analysis or a related field, such as education, psychology or medicine, have completed 135 hours of behavioral analysis coursework and fulfilled certain experience requirements. For the BCBA credential, three options are available. In all cases, an applicant must have earned at least a bachelor's and a master's degree in behavior analysis or a related field and have fulfilled specific experience requirements. This bill might still allow individuals to provide “behavior analysis” without the level of certification that is necessary to be competent, and could even be detrimental to our students.

Although teachers are licensed in their own field, most are neither certified nor licensed to conduct behavioral analysis or to develop behavioral plans based on this analysis for their students, and that is why they need to be under the direction of specialists, in this case, Behavior Analysts. Teachers and Educational Assistants are neither certified nor licensed to complete this task. Teachers also need to be able to consult these specialists, periodically to ensure that their students behavioral plans are working, and be able to problem solve with Behavioral Analysts, as needed, if the plans are not helping their students' progress.

We have read through all the past testimony for Act 199, before it became a law, and many of the complaints from parents were that our schools didn't have access to certified Behavioral Analysts to conduct behavioral analysis for their children to help them create behavioral plans to assist their children. Teachers should also be “under the direction of a Behavior Analyst” as all other categories of this bill require.



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Yes, the DOE struggles with providing these services, with hiring and retaining qualified staff, and with monitoring services. Having unqualified people attempting to provide educational services that they are not certified to do may inevitably lead to poor outcomes, educational neglect, and even abuse. The inability of finding qualified people does not mean we should lessen our level and quality of care for our keiki. Once again, this service, and many others, is why we, at HSTA, have been pleading for more funding for our schools to help us retain and provide these specialized services for our keiki. Our schools are severely underfunded, but we, as teachers, must protect our most vulnerable keiki, and we refuse to cut these services due to lack of funds.

Our state must not allow untrained individuals to provide behavior analytic services to our most vulnerable keiki in Hawaii's public schools. Therefore, the Hawaii State Teachers Association asks your committee to **oppose** this bill.

March 30 2016

LATE

Re: SB 1311 SD2 HD1 (HB1440)

TESTIMONY OF IRENE E. VASEY, ESQ.

I write to you in opposition to SB 1311. I object to reducing the requirements of those who are considered qualified to provide "behavior analysis" to Hawaii's keiki in need of special education services. Passing such a bill as this will only result in more injury to our state's already most disadvantaged children---those with physical, mental and learning challenges

I see this as just another of DOE's endless efforts (and a sneaky one at that,) to reduce their expenditures on the backs of those students who need the most support. They should look to their own bloated administrative costs if they want to trim extraneous budget items.

Different disabilities require different "behavior plans." Behavior plans which would work for a student with autism would *not* work for a student with oppositional defiant disorder *nor* for a student with traumatic brain injury. These plans must be developed and overseen by qualified credentialed and licensed professionals. An inappropriate behavior plan could cause more harm than good.

I am a licensed attorney in the State of Hawaii who advocates and litigates on behalf of students who qualify under the Individuals with Disabilities Act (IDEA). For the past sixteen years I have witnessed our Department of Education undo the justice that had been created under the Felix case.

Continuing this lowering of standards as proposed by SB 1311 is in direct opposition to the meaning and intent of the IDEA mandate which statutorily requires the DOE to hire "qualified" service providers.

Do not allow this bill to pass. Hawaii's disabled keiki deserve more of our resources, not less.

Sincerely,

/s/ Irene E. Vasey, Esq.

Kate Disney
2847 Kanaku St.
Wahiawa, HI 96786

Please read with my full permission to discuss the experiences that have been a part of this frustrating and despicable journey. I wish I could be there, but as a busy wife and mother to a child with autism, I simply can't attend the hearing today.

Testimony:

Senator(s), I'd like to tell you about my experience trying to work with my child's school administrator and teachers on this very issue: and rather than rehash my attempts at navigating DOE red tape over the past year, I'll simply relay a few recent frustrations I've encountered. My child's IEP requires a BCBA; however that provider conspicuously "went over his hours" with 3 weeks left in the last quarter; was unavailable for the rest of the quarter and has not returned to my son's team. The SpEd teacher recently decided she needed double the amount of consultation time from a BCBA for my son; however currently she has zero hours of BCBA consultation. Most instructional programs for my son were only recently developed (January). My son's 1:1 aid is being used to pull him out for explicit instruction, and she has NO TRAINING in EDUCATION or BEHAVIOR (or data collection) and now he has no consultant. Per the BCBA that was on my son's team; it was recommended his 1:1 aid be a RBT (Registered Behavior Technician). I addressed this with the SpEd teacher and Principal; however they wanted to "see how it goes". In January, our Principal also requested that I be patient because they [kids with autism] just have all the information "locked inside their heads and we just don't know when it will come out". In January, the SpEd teacher and Principal agreed an RBT was needed; but now have changed their minds and refuse to put the need for an RBT in my son's IEP.

Red tape makes it very difficult to collaborate with my son's home provider. Each time she needs to observe in the classroom, additional personnel are made to observe her. The DOE has made a point to say that too many adults in the room impedes social progress, yet any observation by my son's home provider comes with a makeshift security detail. I might add: it's untrained personnel that have impeded my son's social progress. I have asked for the name of my child's 1:1 aid; the contracted company told me I could get the name from the school, but the Principal has refused to give me that information (citing 1st that she didn't know the aid's name, then she wasn't sure if HBH would allow me to have the name, then she said she was waiting for the District Autism Consultant to tell her if I could have the aid's name). I have asked several times for the data sheets from my son's instruction and the teacher makes excuses as to why she can't provide them, or gives me a non-scaled/referenced report (not the actual data taken, as requested).

The delays in providing effective educational instruction to my child are absolutely avoidable. Half the school year passed without any written instructional academic or social programs as the teachers and administrators waited to see "how things went". Now the BCBA has been taken off the case, the aid is still untrained and precious learning time has been wasted. RBT training is available. Instead of working

overtime to keep ineffective systems in place; the DOE could work towards providing the properly trained personnel to help educators teach Hawaii's Keiki with behavioral needs.

Kate Disney

LATE

Hawaii Parents Special Education Advisory Council (HIP-SEAC)

P.O. Box 61501

Honolulu HI 96839-1501

808 228-0122

TESTIMONY IN OPPOSITION
RELATING TO EDUCATION
HOUSE OF REPRESENTATIVES
THE TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2016
COMMITTEE ON FINANCE
Wednesday, March 30, 2016, 2:00P.M.
Conference Room 308

The Honorable Sylvia Luke, Chair
The Honorable Scott Nishimoto, Vice Chair

Dear Chair, Vice Chair, and Members of the Committee:

Thank you for receiving testimony from the Hawaii Parents Special Education Advisory Council (HIP-SEAC) testifying IN OPPOSITION to S.B. 1311, S.D. 2, H.D. 1. This Bill would allow the Department of Education ("DOE") to provide applied behavior treatment to students with autism through individuals who are not licensed professionals and who may be unqualified.

This Bill, as amended, would exempt the DOE from the requirement in Act 199 of 2015 (codified at H.R.S. that applied behavior analysts be licensed.

This Bill conflicts with provisions of State and Federal law, Medicaid rules regarding reimbursement for applied behavior treatment to licensed providers and IDEA regulations 34 C.F.R.300.156.

In all due respect, with the current improvements needed in the public school system, this Bill fails to promote the needed quality assurances and fails to promote or protect children at risk of health concerns and/or at academic risk unmet across the state of Hawaii, in this case, children and their families dealing with autism spectrum disorders.

This Bill establishes a standard that is not a standard of care meeting the needs of this population and will result in litigation on behalf of children.

The CASSP (Child and Adolescent Service System Programming) principles taken from the Department website since its inception drives service delivery however this standard is missing in some current department practices related to the Individualized Education Program planning (IEP) process. Parents need to be equal partners in the decision-making as required by the IDEA federal law. This should be applied to the selection process identifying who the employee-based or private service providers will be working with their children. Parents are expected to acquiesce to the decision-making of the DOE IEP team and sometimes without parent involvement and participation. There are recent cases identified in the Ninth Circuit Court of Appeals where decisions were in favor of children and families.

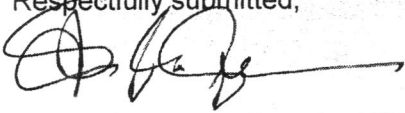
Below, with permission, are listed additional representatives from neighbor islands in opposition of S.B. 1311, S.D. 2, H.D. 1.

Accordingly, in Bill Section 2 amending H.R.S. 465D-7, the following changes should be made:

1. The words "or credentialed" in the first sentence of subsection (a) should be deleted; and

2. Subsections (a) (2) and (3) should be deleted.

Respectfully submitted,



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Including Neighbor Island Representatives:

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