



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

**Date:** 03/01/2016

**Time:** 01:40 PM

**Location:** 211

**Committee:** Senate Ways and Means

**Department:** Education

**Person Testifying:** Kathryn S. Matayoshi, Superintendent of Education

**Title of Bill:** SB 1311, SD1 RELATING TO EDUCATION.

**Purpose of Bill:** Allows a licensed or credentialed educational practitioner to utilize behavior analysis principles and techniques without being licensed as a behavior analyst; provided the unlicensed individual's use of those techniques is limited to the individual's recognized scope of practice. (SD1)

**Department's Position:**

The Department of Education (Department) supports SB 1311 SD1 and has met with representatives of the Hawaii Association for Behavior Analysis to discuss this measure. 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 SD1 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 will clarify the applicability of the exemption for the Department and will ensure that 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.



**S E A C**  
**Special Education Advisory Council**

919 Ala Moana Blvd., Room 101

Honolulu, HI 96814

Phone: 586-8126 Fax: 586-8129

email: [spin@doh.hawaii.gov](mailto:spin@doh.hawaii.gov)

March 1, 2016

**Special Education  
Advisory Council**

Ms. Martha Guinan, *Chair*

Ms. Brendelyn Ancheta

Dr. Tammy Bopp

Dr. Robert Campbell, *liaison  
to the military*

Ms. Deborah Cheeseman

Ms. Annette Cooper

Ms. Shari Dela Cuadra-Larsen,  
*liaison to the Superintendent*

Ms. Gabriele Finn

Mr. Sage Goto

Ms. Valerie Johnson

Ms. Deborah Kobayakawa

Ms. Bernadette Lane

Ms. Dale Matsuura

Ms. Stacey Oshio

Ms. Zaidarene Place

Ms. Barbara Pretty

Ms. Kau'i Rezentos

Ms. Rosie Rowe

Dr. Patricia Sheehey

Ms. Ivalee Sinclair

Mr. Tom Smith

Ms. Lani Solomona

Dr. Todd Takahashi

Dr. Daniel Ulrich

Dr. Amy Wiech

Ms. Jasmine Williams

Ms. Susan Wood

Amanda Kaahanui, Staff

Susan Rocco, Staff

Senator Jill N. Tokuda, Chair  
Committee on Ways and Means  
State Capitol  
Honolulu, HI 96813

RE: SB 1311, SD 1 - Relating to Education

Dear Chair Tokuda and Members of the Committee,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **supports the intent** of SB 1311 SD 1 as amended.

The amendments made by the Committees on Education and Commerce, Consumer Protection and Health removed objectionable language that had the appearance of exempting school-based professionals and paraprofessionals from coming into compliance with Act 199. SEAC supported the passage of Act 199 and the licensing of behavior analysts for the practice of behavior analysis. Applied Behavioral Analysis is an evidence-based intervention for students with autism and other significant disabilities. When ABA is included in a student's Individualized Education Program, Act 199 requires that it be provided by individuals who are trained and licensed.

Thank you for the opportunity to provide testimony on this important bill. If you have any questions, please contact me.

Respectfully,

Martha Guinan  
Chair



**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 1, 2016

The Honorable Jill N. Tokuda, Chair  
Senate Committee on Ways and Means  
Twenty-Eighth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Senator Tokuda, and Members of the Committee:

SUBJECT: SB 1311 SD1 - Relating to Education

The State Council on Developmental Disabilities **supports the intent of SB 1311 SD1**. This measure would allow a licensed or credentialed educational practitioner to utilize behavior analysis principles and techniques without being licensed as a behavior analyst; provided the unlicensed individual's use of those techniques is limited to the individual's recognized scope of practice.

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. Children who receive applied behavior analysis (ABA) should receive them from qualified providers who are licensed and trained.

However, we are aware of students within the Department of Education (DOE) who are currently receiving and benefiting from ABA through the implementation of an applied behavior analysis plan by unlicensed providers. We appreciate the changes in SB 1311 SD1 that would limit the unlicensed provider's use of techniques being limited to their recognized scope of practice.

Thank you for the opportunity to submit testimony supporting the intent of SB 1311 SD1.

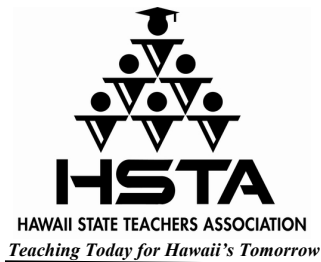
Sincerely,

Handwritten signature of Waynette K.Y. Cabral in black ink.

Waynette K.Y. Cabral, MSW  
Executive Administrator

Handwritten signature of Josephine C. Woll in black ink.

Josephine C. Woll  
Chair



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819  
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Corey Rosenlee  
President  
Justin Hughey  
Vice President  
Amy Perruso  
Secretary-Treasurer  
Wilbert Holck  
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEES ON  
WAYS AND MEANS

RE: SB 1311 SD1 - RELATING TO EDUCATION

TUESDAY, MARCH 1, 2016

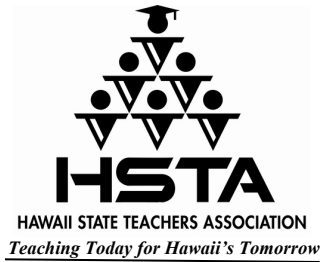
COREY ROSENLEE, PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

Chair Tokuda and Committee members,

The Hawaii State Teachers Association **opposes SB 1311 SD1**, relating to education.

This bill, even as amended, leaves a loophole that would allow unlicensed and untrained individuals to provide behavior analytic services to keiki in Hawaii's public schools, just as long as they don't call themselves "Behavioral Analysts". We have serious concerns with this bill. Behavioral Analysis for our most vulnerable keiki is extremely important for our students with special needs. Those who complete this analysis require a license and a considerable amount of training. Teachers and Educational Assistants are neither certified nor licensed to complete this task, and that is why they need specialists, such as Behavior Analysts to assist them. Teachers and Educational Assistants are not specialists in Behavior Analysis, and they are not expected to be. This bill would leave a loophole where teachers or educational assistants could be required by the DOE to conduct behavioral analysis work, even though they could not call themselves Behavioral Analysts, or require teachers or educational assistants to be certified Behavioral Analysts.

To become a Behavior Analyst, you need a master's degree, additional coursework in behavior analysis, and supervised fieldwork hours where they are trained in the hands-on applications of behavior analysis. This bill might still allow people to provide "behavior analysis" without the level of training that is necessary to be competent, and could even be detrimental to our students. This bill continues to



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**Corey Rosenlee**  
President

**Justin Hughey**  
Vice President

**Amy Perruso**  
Secretary-Treasurer

**Wilbert Holck**  
Executive Director

try to circumvent the most recent passage of Act 199 from last session, that took effect this January, therefore, we will continue to oppose this bill.

Yes, the Department of Education already struggles to provide decent behavior analytic services. A recent article in the Star Advertiser states that the DOE does not currently have the ability to provide services to the students in need of special education. They struggle with providing services, with hiring and retaining qualified staff, and with monitoring services. This leads to many unqualified people attempting to provide educational services that will inevitably lead to poor outcomes, educational neglect and even abuse. However, this lack of finding qualified people does not mean we should lessen our level and quality of care for our keiki. Once again, we need more funding for our schools to help us retain and provide these specialized services for our keiki.

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.



03/01/2016

Committee on Ways and Means

Senator Jill Tokuda, Chair

Senator Donovan Dela Cruz, Vice Chair

Conference Room 211

1:40 pm

State Capitol

415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz and members of the committee,

Thank you for the opportunity to submit testimony today in **OPPOSITON to SB1311 SD1**. My name is Kristen Koba-Burdtt, President of the Hawai'i Association for Behavior Analysis (HABA). On behalf of the behavior analytic community, HABA met with the DOE on 2/11/16 in an effort to work collaboratively and ensure children receive the services they need, from licensed, trained, qualified providers. Following this meeting, testimony from the DOE, and testimony in opposition to this bill from a number of organizations, including the Hawaii State Teacher's Association and the Hawaii Association of School Psychologists, the committees sought to add clarifying language to Act 199 and included the following in the committees' hearing report:

"Your Committees received testimony in support of the proposed S.D. 1 from the Department of Education. Your Committees received testimony in opposition to the proposed S.D. 1 from the State Council on Developmental Disabilities; Hawaii Association for Behavior Analysis; Hawaii Association of School Psychologists; Wolff Behavioral Services, LLC; Hawaii School Counselor Association; Autism Behavior Consulting Group, Inc.; Hawaii State Teachers Association; Autism Society of Hawaii; Keiki Educational Consultants; and numerous individuals.

Your Committees find that teachers and other Department of Education personnel must employ a wide range of strategies in the course of their regular duties to effectively instruct students and create an environment conducive to learning. Some of these strategies employ principles and techniques that fall inside the practice of behavior analysis. If teachers are required to be licensed as behavior analysts before they employ these techniques, they will be hindered in their ability to provide educational services to their students. However, your Committees note that teachers who are not licensed as behavior analysts are not equipped to provide the same services as a licensed behavior analyst, especially with regard to students with special needs. For that reason, the use of behavior analysis techniques by teachers who are not licensed as behavior analysts should be limited to the course of their recognized scopes of practice."

We agree with the committees' report and thank Senators Baker and Kidani for their insightful comments; however, we fear the amended language of SB1311 leaves too much uncertainty and likely exposes the DOE to ongoing due process lawsuits.

Just this last legislative session, Act 199 was passed to license behavior analysts because the legislature recognized the need for consumer protection. Individuals that receive behavior analytic services are some of our state's most vulnerable population. Individuals with intellectual and developmental disabilities that may not be able to speak for themselves. **We believe that any child receiving applied behavior analysis (ABA) services deserves a licensed, trained, and qualified provider.** Act 199 as written includes exemptions for other licensed professionals working within their scope of practice. SB1311 adds language to Act 199 stating that "This chapter is not intended to restrict the practice of other licensed or credentialed educational or healthcare practitioners practicing within their own recognized scopes of practice." A number of licensed and credentialed professionals working in the DOE have submitted testimony in opposition to this bill because they do not have the training, experience, and qualifications needed to help these vulnerable students, yet many teachers and educators feel they will be told they have to attempt to provide the behavioral support their student's need and they will not receive any additional support from a licensed, qualified, behavior analyst.

The practice of behavior analysis requires extensive specialized training and experience, in not only the science of behavior, but also the most effective means to oversee direct care or paraprofessional level staff working one-on-one with children. Recent news reports continue to document the shortage of special educators in the Department of Education, with recent figures reporting nearly 20% of positions vacant. Many positions are filled by long-term substitutes or emergency hires that do not have the training and qualifications needed to provide behavior analytic interventions to children in an effective and ethical manner. Currently, the DOE contracts with outside agencies for paraprofessional (one-to-one aide) staffing. These paraprofessionals are supposed to be led and directed by the licensed teacher; however, in numerous cases across the state paraprofessionals receive little-to-no training or oversight because the teacher is a sub or an emergency hire. **This current system costs tax payers millions of dollars each year, and yet progress and development for children in the special education system is the worst it's been since the Felix decree.** The current system is not effective and needs to change. Our educators need support, from licensed, trained, and qualified professionals. This proposed bill creates great uncertainty for families and could allow undertrained staff, outside contracted providers, substitutes, and others to practice behavior analysis, putting the most vulnerable special education students at risk

We ask that you uphold the existing language of Act 199 by ensuring all children in Hawai'i are afforded the same protection of a licensed professional working in their scope of practice when receiving behavior analytic interventions. Please oppose this bill.

Respectfully submitted,



Kristen Koba-Burd, M.S., BCBA, LBA

President, Hawaii Association for Behavior Analysis (HABA)

president@hawaiiaba.org

Hawaiiaba.org





Feb 29, 2016

COMMITTEE ON WAYS AND MEANS

Conference Room 211, State Capitol  
415 South Beretania Street

Aloha Representatives,

Hawaii Association of School Psychologists (HASP) believes that licensure is important for all professionals that are entrusted to care for students, especially those with special needs. Act 199 ensured a higher level of care for children with autism based on the specialized training and expertise required to implement Applied Behavior Analysis (ABA). HB868 and SB1311 proposes that the training and expertise are not necessary in the “practice of behavior analysis” within the educational setting.

School psychologist act to benefit all students and to do this, they must practice within the boundaries of their competence, use scientific knowledge from psychology and education to help students and others make informed choices, and accept responsibility for their work (NASP Ethics, Principle II.1). In accordance with the National Association of School Psychologists (NASP) Practice Model 2010, HASP asks that school psychologists practice in ways that are consistent with ethical, professional, and legal standards and regulations. School psychologists engage in effective, collaborative, and ethical professional relationships that support a multi-tiered continuum of services to support all students’ attainment of academic, social, emotional, and behavioral goals. School Psychologists are trained in a variety of treatments that distinguishes us as mental health professionals within schools, but we do not provide nor practice “applied behavior analysis” (ABA) or “behavior analysis” when it is outside the scope of our competency. Those who have attained competency to provide ABA are recognized by their board certification through the Behavior Analyst Certification Board and through the Department of Commerce and Consumer Affairs, Professional and Vocational Licensing in the state of Hawaii.

Hawaii Association of School Psychologist asks that you uphold the existing language of Act 199 by ensuring all children in Hawaii are afforded the same protection of a licensed professional working in their scope of practice. Please oppose this bill.

Respectfully Submitted:

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Taffy Perucci, M.S., BCBA  
California Credentialed School Psychologist 2003-present  
HASP Legislative Chair

From: [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
To: [WAM Testimony](#)  
Cc: [keikiconsultants@gmail.com](mailto:keikiconsultants@gmail.com)  
Subject: Submitted testimony for SB1311 on Mar 1, 2016 13:40PM  
Date: Monday, February 29, 2016 1:37:39 PM

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## **SB1311**

Submitted on: 2/29/2016

Testimony for WAM on Mar 1, 2016 13:40PM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amanda N Kelly	Keiki Educational Consultants, Inc.	Oppose	No

Comments: Thank you for the opportunity to submit my testimony in OPPOSITION of SB1311. This piece of testimony, introduced on behalf of the Department of Education, asserts that classroom teachers and educational assistants (along with others) possess the skillset to design and implement applied behavior analysis (ABA) --without a license, adequate training, or appropriate oversight by a licensed professional. As is, our license already exempts many licensed providers listed in this request: "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" (Act 199, Exemption 1). One of the major loopholes we see with the language introduced by the Department of Education is that it lists positions (e.g. teacher, social worker, etc.) and does not make reference to them being licensed or qualified. Additionally, the language that is being proposed in the DOE bill also seeks to exempt "Educational Assistants". We are talking (most often) individuals with high school diplomas who have received little to no training in autism or applied behavior analysis. The purpose of ACT 199 is to increase consumer protection. SEVERE harm is a real and very likely risk to our keiki if this proposed bill moves forward. Our keiki deserve qualified professionals and our teachers deserve support! Please support our keiki and our teachers by OPPOSING SB1311. Malama our keiki, Amanda N. Kelly, PhD, BCBA-D, LBA Executive Director, Keiki Educational Consultants, Inc. [Amanda@keikiconsultants.org](mailto:Amanda@keikiconsultants.org) The Importance of Licensure - "Licensing of behavior analysts is important for many reasons. However, one reason stands out well beyond any of the others – the ability of the state licensure system to provide a mechanism for protecting consumers of ABA services. Services provided ...by those who are not adequately trained in ABA include an inherent risk to those served. Therefore, consumer protection is vital. The process of licensure would result in the requirement that only those licensed by the state board could advertise themselves to the public as "applied behavior analysts," or could provide services defined within the law as the "scope of practice" of licensed applied behavior analysts. Some consumers may not be able to discriminate between adequately and inadequately trained providers, and they may trust providers who insist that they are "just as well trained" and have "many years of experience" in ABA." (Dorsey, Weinberg, Zane, and Guidi, 2009). Indeed, our legislators have

already made the vital decision to license the profession last year when Hawaii Licensure for Behavior Analysts (Act 199) passed as law. Serving Sensitive and Vulnerable Populations - Behavior analysts work with clients to address a number of behavioral concerns. We are often called in when clients present with behavior that threatens their health or safety or the health and safety of others, as well as behaviors that constitute a barrier to quality of life (e.g., severe aggression, self-injury, property destruction, or noncompliance). Behavior analysts also help clients learn developmentally appropriate adaptive, social, or functional skills that are fundamental to maintain health, social inclusion, and increased independence (e.g., toileting, dressing, feeding, compliance with medical procedures, etc.). The vulnerable populations we service have the right to effective behavioral treatment. An article published in 1988, clearly identifies six specific rights of our clients (Van Houten, Axelrod, Bailey, Favell, Foxx, Iwata, & Lovaas).

- Right to a therapeutic environment
- Right to services whose overriding goal is personal welfare
- Right to treatment by a competent behavior analyst
- Right to programs that teach functional skills
- Right to behavioral assessment and ongoing evaluation
- Right to most effective treatment procedures available

Eligibility Requirements for Behavior Analysts & Assistant Behavior Analysts - "Professionals in ABA engage in the specific and comprehensive use of principles of learning, including operant and respondent learning, to address the needs of individuals with ASD in diverse settings. Services are provided and supervised by Behavior Analysts with expertise and formal training in ABA for the specific treatment of ASD (see BACB document: "Applied Behavior Analysis in the Treatment of Autism Spectrum Disorder"). Applicants who meet the degree, coursework, and supervised experience eligibility requirements are permitted to sit for either the BCBA or BCaBA examination. Each examination is professionally developed to meet accepted examination standards and is based on the results of a formal job analysis and survey. In addition, all BACB examinations are offered under secure testing conditions and are professionally administered and scored" (Appendix A: Eligibility Requirements for BACB certification).

Growth and Status of Professionals in the State of Hawaii - Over the past 15 years, the field of applied behavior analysis (ABA) has experienced extraordinary growth in the number of practitioners, as well as those seeking ABA services. The BACB credentials and recognizes individuals at four levels: In Hawaii, we have over 350 Registered Behavior Technicians (RBT), a handful of Board Certified assistant Behavior Analysts, and over 100 Hawaii Licensed Behavior Analysts (BCBA/BCBA-D). With the passage of autism insurance and subsequently the passage of licensure of behavior analysts, we have seen ABA university programs develop in Hawaii. At present, there are three local options for individuals to choose when pursuing their BCaBA/BCBA/BCBA-D.

- University of Hawaii (BCBA online program)
- University of West Florida (UWF) Hawaii-cohort
- Florida Institute of Technology (FIT) Hawaii-cohort

Intentions of Board Of Education - From information that has been shared with us, we are concerned about the intentions of the DOE and worry for the safety of Hawaii's keiki. Specifically, we are concerned about the guidance BOE is providing its staff and administrators, pertaining to ABA. We have attached for your review, the body of an email that was sent to Hawaii School Administrators: Dear School Administrators, ACT 199 (signed into law July 2, 2015) basically says that anyone doing behavior analysis for a child with autism needs to be a licensed behavior analyst as of Jan. 1, 2016. Behavior analysis refers

to Applied Behavior Analysis (ABA) - programs, trainings, principles/components/processes, etc. The DESes have been awaiting guidance or word of being exempt from State Sped, however none received yet. In the interim Leeward Autism will be proactive and refrain from saying and providing: ABA student programs, trainings of ABA awareness/methods or implement ABA principles throughout the day, etc. We will instead describe and continue to train/implement developmentally appropriate educational practices/intervention strategies in our work. These are implications for anyone servicing students with ASD. This would not apply to those with a license as described in ACT 199. Please consider talking to your respective school staff that service students with ASD. Thank you for your understanding and cooperation. Feel free to call me if you have questions. # 675-0384 In addition to this email, last month on February 4, 2016, the Department of Education (DOE) released addendums to their paraprofessional (direct services) and behavior intervention support specialist (consultant/supervisors) contracts (see addendum to current RFPs). In these documents, it clearly states that Board Certified Behavior Analysts (BCBAs) would no longer be eligible to serve as supervisors of ABA programs (see image below). This conflicts with guidance from experts in education. It is also in direct conflict with the law (Act 199). Conclusion The purpose of ACT 199 is to increase consumer protection. SEVERE harm is a real and very likely risk to our keiki if SB1311 moves forward. Our keiki deserve qualified professionals and our teachers deserve support!

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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**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WAM Testimony](#)  
**Cc:** [louis@hawaiidisabilityrights.org](mailto:louis@hawaiidisabilityrights.org)  
**Subject:** Submitted testimony for SB1311 on Mar 1, 2016 13:40PM  
**Date:** Sunday, February 28, 2016 3:01:30 PM

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**SB1311**

Submitted on: 2/28/2016

Testimony for WAM on Mar 1, 2016 13:40PM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Louis Erteschik	Hawaii Disability Rights Center	Comments Only	No

Comments: While we are comfortable with the language in the SD1 version, we have great concerns about the underlying purpose of the bill, which was to allow the DOE to use potentially unqualified individuals to provide services to children with intellectual disabilities. We hope that if this measure advances, the legislature will maintain the current provision and not permit the DOE to provide substandard care for these children.

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**To:** [WAM Testimony](#)  
**Cc:** [bburd3@gmail.com](mailto:bburd3@gmail.com)  
**Subject:** \*Submitted testimony for SB1311 on Mar 1, 2016 13:40PM\*  
**Date:** Monday, February 29, 2016 9:13:54 AM

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**SB1311**

Submitted on: 2/29/2016

Testimony for WAM on Mar 1, 2016 13:40PM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Brian Burdt	Individual	Oppose	No

Comments:

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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Tuesday, March 1, 2016  
WAYS AND MEANS COMMITTEE  
SB 1311 SD1  
Hawaii State Capitol  
Conference Room 211

Dear Senator Tokuda, Senator Chun Oakland and members of the committee:

I strongly believe that licensure is important for all professionals that are entrusted to care for ALL our keiki, especially those who are the most vulnerable, children with special needs. The true intent of Act 199 is to safeguard the rights of these children by ensuring a high quality standard of care based on the specialized training and expertise required to implement the science of Applied Behavior Analysis (ABA). SB1311 SD1 proposes that the training and expertise are not necessary in the “practice of behavior analysis” within the educational setting, but at what cost?

The Hawaii Department of Education’s leadership claims that by opposing their proposed exemption there will be an interruption in service for the children who need it most. This smoke and mirrors statement would only be true if the department was actually providing all these children the quality services they need by professionals appropriately trained to do so. This bold claim is just another bullying tactic to skirt the fact that this is a serious problem and will continue to put our most vulnerable keiki in true harm’s way at the hands of untrained individuals.

As a community stakeholder, and a parent of a child with special needs, who has previously worked in the DOE and at a non-profit organization, which serves the families of children with special needs, I can speak with tremendous concern that DOE even refuses to listen to their own people. In my time with DOE I know of many well-intentioned employees that work in the trenches with these students, and they are crying out for more support and training, (which by the way doesn’t work if you use your own untrained in house autism consultants to tackle this ongoing problem). Wouldn’t it make sense to instead partner with professionals that are licensed, and extensively trained in ABA to support your own people?

Furthermore, there are groups of professionals within the DOE that strongly oppose the “gut and replace” tactics in both HB 868 and SB 1311 because this goes against their own professional integrity and code of ethics to not operate outside their scope of training and expertise. Nevertheless, many of them are reluctant to take a stand for fear of losing their jobs. When I worked for the non-profit parent training information center, I fielded numerous calls from parents of children with special needs who were also DOE employees begging for representation and support in getting appropriate services for their children because they could not advocate for their very own child without fear of retaliation. We should not allow the DOE to bully their way out of ACT 199 as it was truly intended. I ask that you uphold the existing language of Act 199 and take a stand for our keiki. **Please oppose this bill.**

Respectfully Submitted:

Deborah Krekel



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [WAM Testimony](#)  
**Cc:** [inunyabus@gmail.com](mailto:inunyabus@gmail.com)  
**Subject:** Submitted testimony for SB1311 on Mar 1, 2016 13:40PM  
**Date:** Monday, February 29, 2016 3:15:11 PM

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**SB1311**

Submitted on: 2/29/2016

Testimony for WAM on Mar 1, 2016 13:40PM in Conference Room 211

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
E Yadao	Individual	Oppose	No

Comments: ABSOLUTELY NOT. You stand to do more harm than good. This is PROFILING. By someone that is not even qualified! PROFILING is a federal violation. This is for the purpose of anti-gun laws. AIPAC is behind this. Get AIPAC OUT OF HAWAII's legislation.

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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 by the H. D.O.E. made me feel that my efforts were for nothing. I am writing this to share my opposition to SB1311 SD1.

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.

Good Afternoon Senators,

I was so happy when Luke's Law passed, as you know Luke missed the cut off age for help, but I felt we had made a difference together, we changed the lives of so many innocent children and their families and our wonderful state. I was confident in the licensure law that passed that these children would get help not by snake oil providers who were in it for the money but by bone fide educated people who would change these children's lives for the better.

Here I am though, after hearing that this may not happen in the very institution where these children live the better part of their day.

I know firsthand what it is like for these vulnerable children who cannot communicate the hurt that is inflicted upon them by untrained people. Look at my son, who has endured such treatment. Look at him he is the poster child for perseverance for enduring so many wrongs on so many levels. I could not protect him as I too wasn't trained and could not get help for him from these very people who I asked for help from. I often wonder what things have happened to him as he was not always able to communicate.

I couldn't protect him. But I say here today to tell you first hand we must protect these children!!

Let me help you visualize some of the memories I live with (and now have a hope of changing for others)

1. Luke-preschool – doesn't want to separate from me and attend school. The school sends a special education teacher to take him to class. Luke has abrasions on his arm from where the teacher forcefully (after he left me) took him. It is logged in the healthroom records if you would like to see. People would say why didn't you sue the dept.? I say was that teacher qualified and trained in behavior? So taking apart someone else's life wasn't the right answer. But Luke suffered? Could he tell me? No.
2. Luke was sent to the vp's office – the vp took away his thing that he walked around with (part of autism) and Luke was distraught. The v.p. came to me later asking to make ha pono pono. Ok I could do that as I know she wasn't trained either and didn't know what she was doing. But did Luke suffer? Could he tell me?
3. Just recently his one on one for band was an e.a.. Luke left her and ran across North road (a very busy road). I had just arrived to pick him up. The e.a. was on one side of the road and hadn't even crossed to where Luke was. Was she trained in these specific Autism Behaviors? No.
4. Luke left band this year and called me to say he was done. Where was the ea I kept telling him on the phone? I got him to go to the office to wait as I scrambled to get there. At least the ea went and got help from the ssc. Was she trained? When we talked with Luke about how this was not a good choice he said "I wasn't thinking" when he got to the car he said "ahh I wasn't thinking when I crossed North road last year. So

the communication and connections are starting but that doesn't change the people who work with him not having the training to work with Autism behaviors.

5. Do you know that at Luke's IEP I asked everyone on his team this year who had formal training in ABA/Autism. Not a single person.

These are the people we put in harm's way to do behavior analysis without the required training and licensure: The child, the teachers/ea's, the system, our taxpayers in our beautiful state.

Did I mention that Emma, Luke's Sister, has a 4.0 in her first year at High School? Despite the fact that none of her teacher's are highly qualified. Why would we do that to a child with special needs? And yes Luke's teacher is not highly qualified as well. Why would we put these people in these positions to do something they are not trained for?

On a positive note. Luke watched the movie inside/out and cried for the first time and we heard a lot of his concerns and worries. I called Kapiolani to get help from the people who are trained in behavior and at the same time called his school, I talked to someone who works with him from an outside agency who is trained in ABA and guess what, he already had worked with Luke that morning before I even called.

See the difference? Hear my pleas in opposition to this bill SD1. Hear the children who cry this morning (and the adults who want to help but do not know how).

Respectfully submitted,

Gerilyn Pinnow (M.Ed.)

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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1:40 pm  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
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Conference Room 211  
1:40 pm  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
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Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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1:40 pm  
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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I OPPOSE this bill.

Mahalo,

William Burgos  
Kailua, Hawaii

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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1:40 pm  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. 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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. Our special needs children deserve nothing less than educated professionals to give them the best future possible. I **OPPOSE** this bill.

Mahalo,

Christine Petty

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I OPPOSE this bill.

Mahalo,

Bernadine Ranger  
Paia, Hawaii

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
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State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I OPPOSE this bill.

Mahalo,

Robert Williams  
Maui, Hawaii

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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1:40 pm  
State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
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Conference Room 211  
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State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
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1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
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Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I OPPOSE this bill.

Mahalo,

Kennedy Souza  
Kahului, Hawaii

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
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Conference Room 211  
1:40 pm  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I OPPOSE this bill.

Mahalo,

Jessica Rothstein

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
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1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
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Conference Room 211  
1:40 pm  
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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
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Senator Donovan Dela Cruz, Vice Chair

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1:40 pm  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I **OPPOSE** this bill.

Mahalo,

Anne Benoit

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
Committee on Ways and Means  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I OPPOSE this bill.

Mahalo,

Roxann Malubay  
Kaunakakai, Hawaii

03/01/2016  
Committee on Ways and Means  
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1:40 pm  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

Mahalo,

Daniel Coleman

Kihei, HI

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

Mahalo,

Cherlyn Tamura

Kapolei, HI



03/01/2016  
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Hawaii State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Senator Donovan Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

kristedraper@hotmail.com

Salt Lake, 96818

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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 child 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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

Mahalo,

JennyLee Nakamura  
Makawao, HI

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

Mahalo,

Michelle Chait

03/01/2016

COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016

COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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.



03/01/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

Mahalo,

Marni Dick

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
COMMITTEE ON WAYS AND MEANS

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

Mahalo,

Amanda Stieb

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
COMMITTEE ON WAYS AND MEANS

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Senator Donovan Dela Cruz, Vice Chair

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

Kihej, HI

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

Mahalo,

Mel

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

Bill HB868 should NOT APPROVED. 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 , appose BILLHB868, 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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Senator Donovan Dela Cruz, Vice Chair

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Senator Donovan Dela Cruz, Vice Chair

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Senator Donovan Dela Cruz, Vice Chair

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Senator Donovan Dela Cruz, Vice Chair

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I **OPPOSE** this bill.

Mahalo,

Gillienne Nadeau  
Honolulu, Hawaii

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Conference Room 211  
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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. These children deserve licensed professional help and nothing less than that. I **OPPOSE** this bill.

Mahalo,

Jorge  
Waialua, Hawaii

03/01/2016

COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I **OPPOSE** this bill.

Mahalo,

Allison Koehnen  
Wailuku, Hawaii



03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

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03/01/2016

COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. 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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. 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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I **OPPOSE** this bill.

Mahalo,

Carolyn Penland

Kailua, HI

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I **OPPOSE** this bill.

Mahalo,

Ben Penland

Kailua, HI

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I **OPPOSE** this bill.

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I **OPPOSE** this bill.

Mahalo,

Emily Herbert

Kaneohe, HI



03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I **OPPOSE** this bill.

Mahalo,

David Hoyt

Kaneohe, HI

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. 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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I **OPPOSE** this bill.

Mahalo,

Heather Ihlen

Kaneohe, HI

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I **OPPOSE** this bill.

Mahalo,

Suzanne Machos

Kaneohe, HI

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Honorable Chair Tokuda, Vice Chair Dela Cruz, 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. I **OPPOSE** this bill.

Mahalo,

Sam Burgos

Kailua, HI

03/01/2016  
COMMITTEE ON WAYS AND MEANS

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016  
COMMITTEE ON WAYS AND MEANS

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Senator Donovan Dela Cruz, Vice Chair

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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
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415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

Kihej, HI



03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

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Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS  
Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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

03/01/2016  
COMMITTEE ON WAYS AND MEANS

Senator Jill Tokuda, Chair  
Senator Donovan Dela Cruz, Vice Chair

Conference Room 211  
Hawaii State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice Chair Dela Cruz, and members of the committee,

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



03/01/2016

Committee on Ways and Means

Senator Jill N. Tokuda, Chair

Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211

1:40 PM

State Capitol

415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1 Proposed**-behavior analysis DOE exemption

Honorable Chair Tokuda, Vice-Chair Dela Cruz 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 SD1.** There are several key reasons why this bill should not move forward:

- Changing the wording in the law creates ambiguity – which may result in more due process lawsuits across the Hawaiian islands.
- The current contracted provider system cost \$38 million last year – this salutation has essentially become a band-aid with paraprofessionals spending time with children without appropriate support. 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. Based on previous testimony from caregivers of children with autism in Hawaii it is clear that harm can come to children that do not have access to treatment from trained professionals. 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 DOE has changed the wording in their contract from “applied behavior analysis” to “differential reinforcement, prompting, and calming strategies.” By changing this wording they are admitting they are not providing applied behavior analysis treatment. It is imperative that providers working with children with autism have specialized training and expertise required to implement ABA. This bill proposes that the training and expertise are not necessary. To be proficient in the application of behavior analysis (ABA) requires an individual to complete extensive training and supervision. This science of ABA sets behavior analysts apart from individuals with other educational backgrounds.

The passing of this law is unrighteous for the future of keiki in Hawaii. Please **OPPOSE SB1311 SD1**.

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

**Johanna Taylor, PhD, BCBA, LBA #10**

**Events Chair, Hawaii Association for Behavior Analysis**

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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  
Waialua, HI

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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



3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

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1:40 pm  
State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
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Conference Room 211  
1:40 pm  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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



3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Thank you,  
Lacey Kea  
Kihei, HI

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

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State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Thank you,  
Suzanne Gustavson  
Kailua-Kona, HI

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
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1:40 pm  
State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

These are our children, all need the best we can give them.

Thank you,  
Barb Bosz  
Kailua-Kona, HI

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

My son is autistic and he needs properly licensed specialist to work with him.

Thank you,  
Victoria James  
Kapolei, HI

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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



3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

Keep our kekei safe

Thank you,  
Julia Thompson  
Hawi, HI

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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



Conference Room 211  
1:40 pm  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

The DOE should not be exempt from the licensure law. Exemption will put our children at risk.

Thank you,  
Mary Jossem  
Honolulu, HI

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

Conference Room 211  
1:40 pm  
State Capitol  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

This is dangerous!

Thank you,  
Martin Myers



3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. 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

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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Senator Donovan M. Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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



3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

This could be very dangerous.

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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

Thank you,  
Sabrina de la Fe  
Miami Lakes, FL

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

I am a RBT in Indiana. Training and licensing is important.

Aimee Grider  
Ft. Wayne, IN

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

Our kids deserve the best provides in Hawaii to work with them.

Thank you,  
Steph Garcia  
Haiku, HI



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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

Our keiki need the best quality education , and this bill will undermine those efforts.  
Education trumps money.

Thank you,  
Kai Funahashi  
Buffalo Grove, IL

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Thank you,  
Laynette Ahsing  
Honolulu, HI

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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Thank you,  
Lissette Soni  
Kihei, HI



3/1/2016  
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Thank you,  
Raenell Bacarro  
Kihei, HI

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Thank you,  
Dr. Susan J Licoan  
Ookala, HI

3/1/2016  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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Thank you,  
Sarah Cover  
Kihei, HI

3/1/2016  
Committee on Ways and Means  
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Thank you,  
Amanda Polk  
Kihei, HI

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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



3/1/2016  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

I feel that our keiki's should have all the support they can get.

Thank you,  
Kayla Akahi  
Waialuku, HI

3/1/2016  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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Thank you,  
Veronika  
Kahului, HI

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Thank you,  
Kayla Fox

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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Thank you,  
Israel Prieto  
Mililani, HI

3/1/2016  
Committee on Ways and Means  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Thank you,  
Dorothy Danaher  
Honolulu, HI



3/1/2016  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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Thank you,  
Duke Keaunui  
Ewa Beach, HI

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

Thank you,  
Cassandra Welch  
Kapaa, HI

3/1/2016  
Committee on Ways and Means  
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Thank you,  
Wennyzl Cabida

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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Thank you,  
Elizabeth Castillo  
Honolulu, HI

3/1/2016  
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Thank you,  
Kī'ope Raymond  
Kula, HI

3/1/2016  
Committee on Ways and Means  
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Thank you,  
JennyLee Nakamura  
Pukalani, HI

3/1/2016  
Committee on Ways and Means  
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Thank you,  
Brent Dell  
Kihei, HI



3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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Thank you,  
Chelsea Householder  
Lahina, HI

3/1/2016  
Committee on Ways and Means  
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Senator Donovan M. Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

MUST have trained ABA professionals that KNOW what they're doing!

Thank you,  
Sandra Conner

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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



Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

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1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

Conference Room 211  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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



3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Thank you,  
Chie Edwards  
Honolulu, HI

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

Would you opt for surgery from someone sans license?

Thank you,  
Stephen Eric Bryden  
Ft. Wayne, IN

3/1/2016  
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Senator Donovan M. Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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



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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Thank you,  
Brandi Kalaukoa  
Kapolei, HI

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Thank you,  
Kathleen J McKay

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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



3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Heather Vander Linden-Dozier  
Kailua, HI

3/1/2016  
Committee on Ways and Means  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

James A Riswick-Estelle  
Honolulu, HI

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Kim Glatley  
Kihei, HI

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

I believe that children with special needs should be provided with care by licensed teachers

Thank you,  
Anna Stutzman  
Kihei, HI



3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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 emlore 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 creadible; -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  
Waiana, HI

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

our keiki deserve licensed, qualified, trained providers

Thank you,  
Calei Ewing  
Honolulu, HI

3/1/2016  
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Senator Jill N. Tokuda, Chair  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

It's a no brainier. Out kids need these services.

Caroly Czar-Delima  
Wailuku, HI

3/1/2016  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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



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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

Children with autism need qualified behavior analysts to help them to gain the skills they need.

Thank you,  
Sandra Bunnell  
Honolulu, HI

3/1/2016  
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Senator Jill N. Tokuda, Chair  
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Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

These children need specialized education. Morally and legally they have a right to it.

Thank you,  
Jim Wagner  
Kihei, HI

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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Senator Donovan M. Dela Cruz, Vice Chair

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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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. I OPPOSE this bill.

Amanda Teweleit



Conference Room 211  
1:40 pm  
State Capitol  
415 South Beretania Street

**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

3/1/2016  
Committee on Ways and Means  
Senator Jill N. Tokuda, Chair  
Senator Donovan M. Dela Cruz, Vice Chair

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1:40 pm  
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**Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, and members of the committee,

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

03/01/2016

Committee on Ways and Means  
Senator Donovan Dela Cruz, Vice Chair  
Senator Jill Tokuda, Chair  
Conference Room 211  
State Capitol  
415 South Beretania Street

Testimony in OPPOSITON of SB1311 SD1-behavior analysis DOE exemption

Honorable Chair Tokuda, Vice Chair Dela Cruz and members of the committee,

Thank you for the opportunity to submit testimony today in OPPOSITON to SB1311 SD1. My name is Kathleen Penland. I am a Board Certified Behavior Analyst working with children with autism spectrum disorder and their families on Oahu. I live in Senator Tokuda's district- in Kailua.

Thank you, Senator Tokuda,, for supporting our keiki in passing Luke's Law (autism insurance reform) last year. This year, we meet again to discuss the implementation of applied behavior analysis (ABA) by licensed professionals within our schools. While I agree with Senators Baker and Kidani's comments on this bill, the language of SB1311 is not specific enough. It is imperative that our keiki with autism receive ABA by licensed and trained professionals- at home, in the community, and in school. Without a quality ABA program embedded into their education and run by licensed, trained professionals, our special needs children will continue to fall through the cracks. Soon, our special needs children will become special needs adults, dependent on the state's resources for support. We see this in the news all too often with families of children with special needs filing suit against the DOE for lack of care or ineffective treatment in the schools. Let's stop putting band-aids on these cracks; lets fix the system by supporting our teachers and our students in providing effective treatment by licensed and trained professionals. It is the right thing to do.

Please oppose this bill.

Kathleen Penland, M.Ed. BCBA

**Testimony in OPPOSITION of SB1311 SD1-behavior analysis DOE exemption**

Honorable Chair Tokuda, Vice-Chair Dela Cruz, 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 SD1. 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.

1. Behavior Analysis is a field which requires a considerable amount of training. To become a Behavior Analyst, I needed to have a master's degree, additional coursework in behavior analysis, and 1500 supervised fieldwork hours where I was trained in the hands on applications of behavior analysis. This bill would allow people to provide "behavior analysis" without the level of training that is necessary to be competent.
2. The Department of Education struggles to provide decent behavior analytic services. A recent article in the Star Advertiser states that the DOE does not currently have the ability to provide services to the students in need of special education. They have difficulty with providing services, with hiring and retaining qualified staff, and with monitoring these services. This leads to many unqualified people attempting to provide educational services, which will inevitably lead to poor outcomes, educational neglect and even abuse. This is a waste of money that could be better spent in providing services that help our keiki achieve their full potential.
3. The DOE does NOT have the capacity to provide these services at this time. 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. Contracted providers are not required to be BCBA's. The Department of Education changes the wording in the contract to remove reference to Applied Behavior Analysis (ABA), yet continue 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.
4. 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.

5. 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.
6. 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.
7. 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.

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 SD1. 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

Good Afternoon Senators,

My name is Luke. I think that people who help kids with Autism should act like Mr. Maurice. People should have licenses so they know how to help.

Now I am done.

Luke

Dear Senator Tokuda, Senator Chun Oaklund and Committee Members,

As parents of a child with autism we strongly oppose SB 1311. Here's why: When you send your child to school what any parent wants is to be sure they are safe and in the hands of professionals who are committed, caring and TRAINED to teach ALL children. If you need surgery would you go to an unlicensed physician who has never been trained to operate? Of course not! This is not about keeping private ABA agencies in business as some who support this bill may claim. It is about our community of parents, professionals, and stakeholders coming together to resolve an ongoing problem that DOE alone has consistently failed to address. Why is it ok for any child to be subjected to inappropriate restraint, neglect and abusive practices delivered by untrained professionals who simply do not know what else to do. If a child without a disability in a Hawaii public school was tied to a chair, held face down on a table, denied food or water wouldn't this lead to public outrage, and be considered a real news worthy event? What will it take for the department to admit this is a real problem? Despite their best attempts to build capacity of trained professionals, DOE needs help as they have shown time and time again they do not have enough properly trained professionals and they simply can not do it alone. Our keiki with disabilities have the right to receive a Free Appropriate Public Education to meet their unique needs through the delivery of evidence based ABA practices by properly trained and licensed professionals in school. Please keep ALL children safe in our schools and oppose SB1311 by putting our keiki in the hands of true ABA practioners. Thank you.

Respectfully,

The Krekel Ohana