Honolulu, Hawaii

February 9

, 2018

RE: H.B. No. 2271 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Health & Human Services, to which was referred H.B. No. 2271 entitled:

"A BILL FOR AN ACT RELATING TO THE PRACTICE OF BEHAVIOR ANALYSIS,"

begs leave to report as follows:

The purpose of this measure is to clarify the licensure requirements for individuals engaged in the practice of behavior analysis in a school setting. This measure also extends the licensing exemption for direct support workers who provide behavior analysis services in schools.

The Department of Education, Daniel K. Inouye Elementary School, Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO, Hawaii Psychological Association, and some individuals testified in support of this measure. Aloha Behavioral Associates, LLC., Autism Behavior Consulting Group, Hawaii Association for Behavior Analysis, Hawaii Disability Rights Center, Hawaii State Teachers Association, and numerous individuals testified in opposition. The Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs and an individual provided comments.

Your Committee has amended this measure by:

- (1) Amending the preamble to reflect the definition of behavior analysis and the legislative history of behavior analysis regulation in this State;
- (2) Removing the language clarifying the licensure requirements for individuals engaged in the practice of behavior analysis in a school setting;
- (3) Extending the exemption from licensure for direct support workers who provide behavioral analysis under supervision in schools to July 1, 2021; and
- (4) Changing the effective date to July 1, 3000, to promote further discussion.

As affirmed by the record of votes of the members of your Committee on Health & Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2271, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2271, H.D. 1, and be referred to your Committee on Intrastate Commerce.

Respectfully submitted on behalf of the members of the Committee on Health & Human Services,

JOHN M. MIZUNO, Charr

State of Hawaii House of Representatives The Twenty-ninth Legislature

HSCR 251-18

Record of Votes of the Committee on Health & Human Services

Bill/Resolution No.: HB 2271	Committee Referral: HHS, IAC, 1	FIN Date:	2-8-18	
☐ The committee is reconsidering its previous decision on the measure.				
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)				
HHS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)				
2. KOBAYASHI, Bertrand (VC)				
3. BELATTI, Della Au		13.61.5	11 V 1 V 1 V 1	
4. LEARMONT, Lei R.				
5. TUPOLA, Andria P.L.			L	
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TOTAL (5)	4	_		1
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				