

Honolulu, Hawaii

February 16, 2018

RE: H.B. No. 2271
H.D. 2

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

Sir:

Your Committee on Intrastate Commerce, to which was referred
H.B. No. 2271, H.D. 1, 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 improve the provision of
services to public school students who would benefit from
behavioral analysis by:

- (1) Extending by two years the exemption from licensure for
direct support workers who provide behavioral analysis
under supervision to July 1, 2021; and
- (2) Clarifying the definition and scope of duties of a
direct support worker.

The Department of Education and a concerned individual
supported the measure. The Hawai'i Association for Behavior
Analysis, Hawai'i Psychological Association, Aloha Behavioral
Associates, LLC, and numerous concerned individuals supported the
intent of the measure with amendments. The Hawaii State Teachers
Association, Hawaii Disability Rights Center, and American
Psychological Association Practice Organization submitted
comments.



Your Committee has amended this measure by:

- (1) Further clarifying the exemption from licensure of individuals working within the scope of practice or duties of another licensed profession that overlaps with the practice of behavior analysis;
- (2) Clarifying that the exemption for direct support workers who directly implement a behavior analysis program under the supervision of a licensed professional applies only in a school setting, although services provided do not require an individualized education plan;
- (3) Restoring the January 1, 2019, expiration date for the exemption from licensure for direct support workers in a school setting; and
- (4) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Intrastate Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2271, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as H.B. No. 2271, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Intrastate
Commerce,



TAKASHI OHNO, Chair



State of Hawaii
House of Representatives
The Twenty-ninth Legislature

HSCR 655-18

Record of Votes of the Committee on Intrastate Commerce

Bill/Resolution No.: HB 2271 HDI	Committee Referral: HHS, IAC, FIN	Date: 2/14/18		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
IAC Members	Ayes	Ayes (WR)	Nays	Excused
1. OHNO, Takashi (C)	✓			
2. CHOY, Isaac W. (VC)	✓			
3. CACHOLA, Romy M.	✓			
4. FUKUMOTO, Beth	✓			
5. ITO, Ken	✓			
6. LoPRESTI, Matthew S.				✓
7. ONISHI, Richard H.K.	✓			
8. TOKIOKA, James Kunane	✓			
9. WOODSON, Justin H.	✓			
10. WARD, Gene	✓			
TOTAL (10)	9			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>Committee acronym(s)</small>				
Vice Chair's or designee's signature:				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				