

Honolulu, Hawaii
February 14, 2018

RE: H.B. No. 2657
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 Consumer Protection & Commerce, to which was referred H.B. No. 2657, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BEHAVIOR ANALYSIS,"

begs leave to report as follows:

The purpose of this measure is to clarify the scope of the Behavior Analysts Law, Chapter 465D, Hawaii Revised Statutes, by:

- (1) Specifying that the practice of behavior analysis means the practice of applied behavior analysis; and
- (2) Expressly exempting individuals who design or implement behavior analysis services under the Medicaid home and community-based service waiver program, caregivers, and individuals directly supervised by a licensed professional, whose supervision is within their recognized scope of practice, from licensure requirements.

The Department of Health, Department of Human Services, State Council on Development Disabilities, The Arc in Hawaii, Hawai'i Psychological Association, Advantage Health Care Provider, and many individuals supported this measure. The Hawai'i Association for Behavior Analysis, Aloha Behavioral Associates, LLC, and one



individual opposed this measure. The Hawaii Disability Rights Center and Hawaii Medical Service Association provided comments.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2657, H.D. 1, and recommends that it be referred to your Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROY M. TAKUMI, Chair



Record of Votes of the Committee on Consumer Protection & Commerce

Bill/Resolution No.: HB 2657, HDI	Committee Referral: HHS, CPC, FIN	Date: 2/12/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input 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)				
CPC Members	Ayes	Ayes (WR)	Nays	Excused
1. TAKUMI, Roy M. (C)	/			
2. ICHIYAMA, Linda (VC)	/			
3. AQUINO, Henry J.C.	/			
4. ITO, Ken				✓
5. JOHANSON, Aaron Ling	/			
6. LoPRESTI, Matthew S.	/			
7. MIZUNO, John M.	/			
8. SAY, Calvin K.Y.	/			
9. TOKIOKA, James Kunane	/			
10. YAMANE, Ryan I.	/			
11. McDERMOTT, Bob				✓
TOTAL (11)	9	0	0	2
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: <i>Sirde Schizane</i>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				