

Honolulu, Hawaii

MAR 23 , 2018

RE: S.B. No. 2496
S.D. 1
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 S.B. No. 2496, S.D. 1, 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 exemptions and terminology in the behavior analysts professional regulatory system by clarifying that:

- (1) Individuals who design or implement applied behavior analysis services for participants in the Medicaid Home and Community-based Services Waiver Program pursuant to section 1915(c) of the Social Security Act are exempt from licensure as behavior analysts;
- (2) Certain individuals implementing an applied behavior analysis intervention under the supervision of a licensed professional are exempt from licensure as behavior analysts; and
- (3) The practice being regulated is properly referred to as applied behavior analysis.



The Department of Health, Department of Human Services, State Council of Development Disabilities, The Arc in Hawaii, Easterseals Hawaii, Hawai'i Psychological Association, The ARC of Kona, Aloha Behavioral Associates, and two individuals supported this measure. Hawai'i Association for Behavior Analysis and three individuals opposed this measure. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Board of Psychology, 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 S.B. No. 2496, S.D. 1, 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



