

STAND. COM. REP. NO.

2477

Honolulu, Hawaii

FEB 16 2018

RE: S.B. No. 2655
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Commerce, Consumer Protection, and Health and Education, to which was referred S.B. No. 2655 entitled:

"A BILL FOR AN ACT RELATING TO PSYCHOLOGY,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish licensure requirements for school psychologists to be administered by the Board of Psychology; and
- (2) Amend the composition of the Board of Psychology to include two school psychologists.

Your Committees received testimony in support of this measure from the Hawai'i Association of School Psychologists, Hawai'i Psychological Association, Hawaii Children's Action Network, and eleven individuals. Your Committees received comments on this measure from the Department of Education, Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs, Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Board of Psychology, and one individual.

Your Committees find that under existing law, school psychologists are exempt from having to obtain licensure to



practice in an educational setting. Your Committees further find that Hawaii is the only state in the country without certification or licensure for school psychologists. Without certification or licensing, the State is unable to ensure that functioning school psychologists are properly qualified and delivering appropriate services to Hawaii's school children. Furthermore, because only certificated or licensed professionals may seek reimbursement under Medicaid, the State is currently unable to bill for any services or evaluations conducted by school psychologists in an educational setting.

Your Committees additionally find that this measure establishes licensure requirements for school psychologists, to be administered by the Board of Psychology. This measure will therefore raise the standards of practice for all school psychologists in Hawaii, which will in turn increase the appropriate delivery of services to those students most in need.

However, your Committees have heard the concerns that this measure's July 1, 2020, date for licensure does not provide a sufficient transition period for Department of Education school psychologist employees to obtain licensure. Although your Committees are sympathetic to these concerns, your Committees note that school psychologist licensure is not a recent or unexpected topic, especially considering Hawaii's status as the lone exception to certification or licensure for these professionals. Nevertheless, your Committees conclude that a three-year transition period is a more appropriate timeframe to enable current school psychologists to obtain licensure. An amendment to address these concerns is therefore needed.

Finally, your Committees note that because Hawaii is the last state in the country without certification or licensure requirements for school psychologists, it is appropriate for the practice of school psychology to be subject to regulation and control by the State, notwithstanding any requirements for a sunrise analysis by the Auditor.

Your Committees have amended this measure by:

- (1) Inserting definitions for "approved private school" and "developmental center";



- (2) Clarifying that each school psychologist shall complete eighteen credit hours of continuing education during each licensing biennium;
- (3) Specifying that beginning on July 1, 2021, rather than July 1, 2020, no person shall engage in the practice of school psychology or hold one's self out as a licensed school psychologist or school psychologist without being licensed as a school psychologist by the Board of Psychology;
- (4) Clarifying that aiding and abetting an unlicensed person to directly or indirectly perform activities requiring a license shall be grounds for disciplinary action by the Board of Psychology;
- (5) Clarifying that of the two initial school psychologist appointees to the Board of Psychology, one shall be appointed for a three-year term;
- (6) Clarifying that all school psychologists employed by the Department of Education shall be licensed by the Board of Psychology by July 1, 2021; and
- (7) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

Your Committees request the School of Psychology at the University of Hawaii at Manoa, in conjunction with the University of Hawaii West Oahu, University of Hawaii at Hilo, and University of Hawaii Maui College to develop curriculum and continuing education requirements to enable school psychologists to become licensed pursuant to this amended measure.

As affirmed by the records of votes of the members of your Committees on Commerce, Consumer Protection, and Health and Education that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2655, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2655, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Commerce,
Consumer Protection, and Health
and Education,

Michelle N Kidani

MICHELLE N. KIDANI, Chair

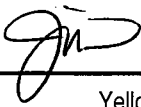
Rosalyn H Baker

ROSALYN H. BAKER, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:* SB.2655	Committee Referral: CPH/EDU, WAM	Date: 2/14/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	—			
TOKUDA, Jill N. (VC)	—			
CHANG, Stanley	—			
ESPERO, Will	—			
IHARA, Jr., Les	—			
NISHIHARA, Clarence K.				—
RUDERMAN, Russell E.				—
TOTAL	5			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align: center; margin-top: 10px;">  </div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* SB 2655	Committee Referral: CPH / EDU, WAM	Date: 02-14-18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
KIDANI, Michelle N. (C)	X			
KAHELE, Kaiali'i (VC)	X			
DELA CRUZ, Donovan M.				X
ESPERO, Will	X			
KIM, Donna Mercado	X			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>Will Espo</i></div>				
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