



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 01/31/2018
Time: 02:45 PM
Location: 229
Committee: Senate Education

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: SB 2520 RELATING TO BEHAVIOR ANALYSIS.

Purpose of Bill: Appropriates funds to the department of education for behavior analysis services performed by licensed behavior analysts for public school students.

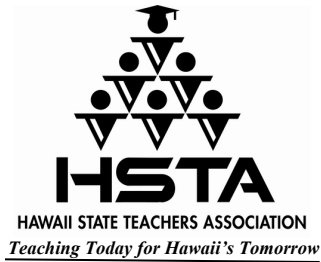
Department's Position:

The Hawaii State Department of Education (Department) supports the intent of SB 2520. The Department recognizes building internal staff capacity to provide behavior analysis services to students will take time; therefore, contracted services by private providers will be needed. The additional funding proposed in this measure will assist the Department to address contracted service costs.

The Department appreciates additional program funding provided the passage of SB 2520 does not replace or adversely impact priorities as indicated in our BOE-approved budget.

Thank you for the opportunity to provide testimony on this measure.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.



1200 Ala Kapuna Street ♦ Honolulu, Hawaii 96819
Tel: (808) 833-2711 ♦ Fax: (808) 839-7106 ♦ Web: www.hsta.org

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TESTIMONY BEFORE THE SENATE COMMITTEE ON
EDUCATION

RE: SB 2520 - RELATING TO BEHAVIOR ANALYSIS

WEDNESDAY, JANUARY 31, 2018

COREY ROSENLEE, PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Kidani and Members of the Committee:

The Hawaii State Teachers Association **strongly supports SB 2520**, relating to behavior analysis.

Behavior analysis means the design, implementation, and evaluation of instructional and environmental modifications to produce socially significant improvements in human behavior. The practice of behavior analysis includes the empirical identification of functional relations between behavior and environmental factors, known as functional assessment and analysis, as well as the use of contextual factors, motivating operations, antecedent stimuli, positive reinforcement, and other consequences to help people develop positive behaviors.

Act 199, Session Laws of Hawaii 2015, established the behavior analyst program within the Department of Commerce and Consumer Affairs and created licensing requirements for behavior analysts. Licensing of behavior analysis services was made concurrent with mandated insurance coverage for diagnosis and treatment related to autism disorders, with which nearly 1,500 public school students are currently diagnosed.

Unfortunately, the DOE is experiencing a shortage of licensed behavior analysts and, in 2016, successfully sought an amendment to state law to allow teachers to perform behavior analysis and prescribe services. Yet, teachers are not trained or qualified to make behavioral diagnoses, and being commanded to do so—some teachers have been threatened with termination for refusing to complete behavioral diagnoses for which they have no professional training—interferes with their ability

to provide a quality learning environment for their students, taking time away from lesson planning, professional development and collaboration, delivery of personalized learning, and more. This measure would eliminate the need to have teachers perform behavior analysis by providing the DOE with funding to hire licensed behavior analysts, either as employees of the department or by contracting with the many private providers who are currently being denied access to the children they're qualified to serve.

To improve the learning experiences of our most vulnerable keiki, the Hawaii State Teachers Association asks your committee to **support** this bill.

SB-2520

Submitted on: 1/29/2018 2:09:38 PM

Testimony for EDU on 1/31/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Louis Erteschik	Hawaii Disability Rights Center	Support	Yes

Comments:

We certainly support the bill. We believe strongly in the value of applied behavior analysis as the most effective treatment for children with autism spectrum disorders. We were very involved in the effort a few years ago which led to the legislative mandate for private insurance to cover it. We then successfully brought a court action to force DHS to cover it under the Medicaid EPSDT program. We are curious, however, to see if the DOE will support this appropriation. In the past few years since ABA was mandated, DOE has been an incredible obstacle to its implementation in the schools. Despite a ruling from the 9th Circuit which specifies that ABA is the presumptively appropriate therapy to be provided to children with autism spectrum disorders in their IEPs under the IDEA, the DOE consistently refuses to implement it. Somehow, despite the evidence submitted by parents in these IEPs, the DOE often seems to find some pretextual justification to support their position that it is "not necessary". Despite the fact that state law requires that functional behavioral assessments be performed by licensed behavior analysts, the DOE often refuses to do so. Most recently, despite the mandate under Medicaid law that medically necessary ABA services be provided in the schools, the DOE refuses to allow providers to come onto campuses to do so. These providers are paid from Medicaid funds and so allowing them to come into the schools would have zero impact on the DOE budget. It would not cost them one penny. Yet, they refuse to allow it under the guise of "non DOE employees are not allowed on campus", despite the fact the protocols are currently in place for providers such as skills trainers to come to the schools to work with children. In terms of the overall state budget, these "medically necessary services" are funded by Medicaid which means that half the costs are paid by the federal government. So, if it truly is a matter of the DOE lacking the resources to implement ABA, then this bill could be a tremendous help to a lot of students. If, however, the DOE position is really based on an antithetical view of ABA, then a mere appropriation will not be sufficient and the legislature in that case would be better advised to consider stronger measures to reign in a DOE that seems to lack the will to want to provide appropriate services to children with autism.



01/29/18

[COMMITTEE ON EDUCATION](#)

Senator Michelle N. Kidani, Chair

Senator Kaiiali'i Kahele, Vice Chair

Wednesday, January 31, 2018, 2:45 pm

Conference Room 229

SB 2520 Relating to Behavior Analysis--Testimony in SUPPORT

Honorable Chair Kidani, Vice Chair Kahele, and members of the committee,

Hawai'i Association for Behavior Analysis (HABA) supports our teachers, our keiki, and Senate Bill 2250. As we have testified in previous years, Applied Behavior Analysis (ABA) is a necessary treatment for many children within the Department of Education (DOE) and should be provided by those licensed and qualified to do so-- as stated in Chapter 465-D. Despite collaborative efforts, HABA has not been able to work together with the administrators of the DOE in finding solutions to the barriers in implementing Chapter 465-D. If funding is truly the primary barrier in increasing the availability and accessibility of ABA within the DOE, then, SB 2520 provides a solution. Once additional funding is made available, ABA should be more readily accessible to our children. If it is not, then we must look to barriers outside of funding. Thank you for supporting our teachers, our keiki, and SB 2520.

Mahalo,

Kathleen Penland

Kathleen Penland, M. Ed. BCBA, LBA

President, Hawai'i Association for Behavior Analysis



46-063 Emepela Pl. #U101 Kaneohe, HI 96744 · (808) 679-7454 · Kris Coffield · Co-founder/Executive Director

TESTIMONY FOR SENATE BILL 2520, RELATING TO BEHAVIOR ANALYSIS

Senate Committee on Education
Hon. Michelle N. Kidani, Chair
Hon. Kaiali'i Kahele, Vice Chair

Wednesday, January 31, 2018, 2:45 PM
State Capitol, Conference Room 229

Honorable Chair Kidani and committee members:

I am Kris Coffield, representing IMUAlliance, a nonpartisan political advocacy organization that currently boasts over 400 members. On behalf of our members, we offer this testimony in strong support of Senate Bill 2520, relating to behavior analysis.

Hawai'i's special needs students are performing below grade level in both reading and mathematics. For the 2016-2017 school year, the statewide achievement gap between high needs students—which includes special education children, English language learners, and economically disadvantaged students—and non-high needs students was 33 percent for language arts and 28 percent for math. While State Superintendent Christina Kishimoto and the Hawai'i State Board of Education have made closing the achievement gap between special needs and general education students their top priority, doing so requires investing in additional resources for special education students, including behavior analysis services.

IMUAlliance is one of the state's largest victim service providers for survivors of sex trafficking. Over the past 10 years, we have provided comprehensive direct intervention services to 130 victims, successfully emancipating them from slavery and assisting in their restoration, while providing a range of targeted services to over 1,000 victims in total. Each of the victims we have assisted has suffered from complex and overlapping trauma, including post-traumatic stress disorder, depression and anxiety, dissociation, parasuicidal behavior, and substance abuse. Trafficking-related trauma can lead to a complete loss of identity. A victim we cared for in 2016, for example, had become so heavily trauma bonded to her pimp that while under his grasp, she couldn't remember her own name.

Sex trafficking is a profoundly violent crime. The average age of entry into commercial sexual exploitation is 13-years-old, with 60 percent of trafficked children being under the age of

16. Approximately 150 high-risk sex trafficking establishments operate in Hawai'i. An estimated 1,500-2,500 women and children are victimized by sex traffickers in our state annually. Over 120,000 advertisements for Hawai'i-based prostitution are posted online each year, a number that is rapidly increasing as technology continues to outpace the law. More than 80 percent of runaway youth report being approached for sexual exploitation while on the run, over 30 percent of whom are targeted within the first 48 hours of leaving home. With regard to mental health, sex trafficking victims are twice as likely to suffer from PTSD as a soldier in a war zone. Greater than 80 percent of victims report being repeatedly raped and 95 percent report being physically assaulted, numbers that are underreported, according to the United States Department of State and numerous trauma specialists, because of the inability of many victims to recognize sexual violence. As one underage survivor told IMUAlliance prior to being rescued, "I can't be raped. Only good girls can be raped. I'm a bad girl. If I *want* to be raped, I have to *earn* it."

The victims with whom we work often do not meet the stereotypical profile of a special needs student. They are frequently children who, prior to being enslaved, were academic all-stars. They were honor students, cheerleaders, athletes, and campus role models. Now, however, they are highly traumatized, often learning disabled, and in need of major behavioral modification. Our survivors struggle when they go back to school because their trauma leaves them with a range of emotional and cognitive challenges that make the classroom setting difficult to navigate. They require school accommodations, comprehensive wraparound services, and the behavioral assistance that behavior analysts are uniquely qualified to provide. They demand our help. They deserve our heart.

To support our most vulnerable children, we ask your committee to support this bill.

Sincerely,
Kris Coffield
Executive Director
IMUAlliance

COMMITTEE ON EDUCATION
Senator Michelle N. Kidani, Chair
Senator Kaiiali'i Kahele, Vice Chair

Wednesday, January 31, 2018, 2:45 p.m.
Conference Room 229 | State Capitol
415 South Beretania Street

IN STRONG SUPPORT OF SB2520

Chair, Vice Chair and Committee Members:

My name is Dr. Amanda Kelly and I am here to submit testimony in **STRONG SUPPORT OF SB 2520**, which appropriates funds to the department of education for behavior analysis (ABA) services performed by licensed behavior analysts (LBAs) for public school students. While I worry the DOE's philosophic stance against collaborating with LBAs and registered behavior technicians (RBTs) will not be shifted with an increased financial allocation of funds, I support this attempt at bring ABA into the DOE.

I am available for comments.



Amanda N. Kelly, PhD, BCBA-D, LBA
forourkeiki@gmail.com
Haleiwa, Hawai'i (Oahu)

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415 South Beretania Street

IN STRONG SUPPORT OF SB2520

Frankie Servetti

1148 Kupulau Drive | Maui

fscmaui@gmail.com

Without ABA in the DOE, there will be another Felix Consent decree. Our keiki's future depends on us! I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

I stand in strong support of our teachers and our keiki.

COMMITTEE ON EDUCATION
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IN STRONG SUPPORT OF SB2520

Dr. Lori Babbitt
23 Kahoea PI | Maui
lgbabbs@gmail.com

As an LBA practicing in Hawaii, it is imperative that we continue to provide quality and skilled ABA resources to our s. With all due respect, if Psychologists and teachers demonstrated ABA knowledge and skills needed in being effective in their assessment, planning, treatment, and monitoring of challenging behavior and developmental deficits, this law would not have been necessary - in keeping with our 49 other states and the international communities. Please do not set Hawaii back! Hawaii keiki need and deserve to have RBT, BCaBA, and BCBA support in order to make the best progress in these critical years, as they set the tone and quality of their very lives. I support our teachers and keiki and upholding Chapter 465-D, Behavior Analyst Licensure law.

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IN STRONG SUPPORT OF SB2520

Kevin Abella
15-1867 4th Avenue | Hawaii
kevinabella04@gmail.com

Allowing children to receive evidence based services, ABA, in the school setting speaks volumes as to how we educate our keiki and how the community/state expects treatment for our special needs community.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!
I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Kim Wolff
58-117 Kaunala St | Oahu
kwolffbcb@gmail.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE
by qualified providers!

I stand in strong support of our teachers and our keiki

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IN STRONG SUPPORT OF SB2520

Linda Barton
92-1491 Aliinui Dr. | Oahu
lindaasolla@gmail.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE
by qualified providers!

I stand in strong support of our teachers and our keiki

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IN STRONG SUPPORT OF SB2520

Jeanette Irvine
95-1044 Ainamakua Dr. H Mililani
Oahu
jeanetteirvine@gmail.com

As a parent whose child has benefited from ABA and is now completely independent I support SB2520. Without having had professionals who were credentialed I know my child would not be as successful as he is today.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Sheryl Cunningham
91341 Ewa Beach Road
Oahu
sherylcunn808@gmail.com

My son has made huge progress thanks to ABA services. He has been accepted into a private school only because he receives ABA services.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!
I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Maile Rogers
68-386 Kikou St. Waiialua, HI 96791 | Oahu
maile_m@yahoo.com

ABA is needed in Hawaii schools. Our keiki have been waiting. DOE needs to work with Behavior Analysts. Psychologists are useful team members, but are no replacement for experts in ABA. My son was getting "help" through the DOE for over a year and made zero progress. The first signs of progress we ever saw were when we were finally able to access privately funded ABA services provided in our home, provided by Licensed Behavior Analysts (LBAs) and Registered Behavior Technicians (RBTs). He can only make so much progress without support in natural social situations like the ones provided at school. He needs the support of Licensed Behavior Analysts (LBAs) to help him be his best self and have a fulfilling life. The earlier and the more intensive his support is, the more effective it will be in the long term. Please help our keiki.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Ililani Foree
PO box 44669 | Hawaii
irc4ee@yahoo.com

My son is being denied services and being harmed. I believe that the DOE needs to provide the right people to do assessments to get all the needed services and resources that my son needs to be in a safe educational environment at his school. In fact I believe that it is doing my son an injustice because he could be put in possible danger with not receiving the right services. I find that knowingly that my son needed a crisis plan to be done right away that this would be a high priority to be done correctly and in an affective why it wasn't I find it highly unethical as a professional and here are the following reasons. - Improper assessment - lacking recommendation of a behavior analyst - resulting in harm and delayed access to treatment (do we pull him out of school to keep him safe) - They ignored and minimized concerns brought to light by Aiden's crisis plan - neglected to mention Aiden's ambulance or hospitalization - neglected to include relevant occurrences of behavior (11/22/17, 9-1-1 called, restrained, urinated himself) - provided a draft of his report - The Agency did not provide the report before meeting, meaning we had to cancel our son's IEP meeting, further delaying us access to answers and proper care. I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Amy Grant
61-280 Kamehameha Hwy | Oahu
amyjean1984@gmail.com

Our Keiki deserve access to ABA services. ABA should never be a "last resort" it should be the gold standard! We demand our Keiki be put FIRST!!

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Ashley Monden
ashley.monden@student.chaminade.edu

I've worked in Hawaii public schools for the past 10 years. First as a 1:1 paraprofessional then as an educational assistant and now as my first year as a first year special education teacher. 10 years ago I worked with a student with autism he was aggressive and would have multiple meltdowns daily. With little experience at the time I searched the Internet. I stumbled upon ABA strategies and decided to try it out. Over time I saw positive results and his behavior changed for the better. A few years ago my friend asked if I would move schools to become a 1:1 for a nonverbal student with autism who went through 13 paraprofessionals before I worked with him. He was no angel by far and was a bit on the violent side. Using ABA strategies I was able to teach him coping strategies and use delay/denial, reinforcing good behavior and extinguishing the bad behaviors. After 6 months I saw the change. He was able to speak in simple sentences, become 50% independent, tolerate using an ice pack and thermometers, and is no longer a flight risk. ABA strategies definitely works! As a teacher we strive to teach students to have an open mindset. We look at our students and children who ask us inquisitive questions. There's times where they understand and times where they don't. When they don't do we simply just say oh well they'll get it eventually? No! You think of different ways to help them understand. That's the help Licensed Behavior Analysts (LBAs) do for teachers. Licensed Behavior Analysts are experts in their scope of practice and like in any other field we seek the experts before making decisions. Why should our keiki settle for less? They shouldn't that's why we need Licensed Behavior Analysts. I support our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Jeaustine Larson
2249 Elou St | Oahu
larson905@yahoo.com

We have lived in Hawai'i for a little over two years. In those two years, it has taken us over 20 months to finally get our son, who is autistic, an IEP. We finally got one put in place about two months ago. We were previously told, "as long as his grades are good, his lack of social skills is not our concern." We also had an incident with his first ABA company; they were providing services with uncredentialed direct support workers (DSW). This resulted in little to no progress made for our son and very poor services. The Behavior Analyst Licensure law needs to stay and be implemented. General Psychiatrists and Psychologists are not trained in autism, the way Licensed Behavior Analysts (LBAs) are. They do get training, but it is not as extensive as is required by the Behavior Analyst Licensure law. Our children deserve the best we can offer them, not the minimum that exists. I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Roger Larson
2249 Elou St | Oahu
larson905@hotmail.com

For almost two years, my family has struggled in getting our son the assistance he so desperately needed in school - even though they recognized that he was in need of an IEP, which included ABA. I have attended and testified at numerous BOE meetings and communicated frequently with the state DOE and district offices only to be ignored and told "no" by Dr. Kishimoto and her staff. Many of my sons teachers agreed that ABA was needed for my son to succeed but were afraid to speak up because of threats made to them by Dr. Kishimoto and her staff at the state DOE. The changes proposed by the DOE will have an adverse affect on our SPED keiki - including my son. The DOE has ignored, lied to and deceived the parents of these children - to include my wife and I. We were told repeatedly that the administration was "not worried about credentials" and have had their staff admit on several occasions that they were not qualified to do what was asked of them (to include one member of my sons team who asked to be removed because he was "overwhelmed"). If these changes are allowed, it will set back the keiki of our community and prevent them from reaching their full potential with this desperately needed support. Thank you for your time and consideration in this matter. I pray that you do the right thing for my son and all of Hawaii's keiki!

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Stephanie Phelan | stephanie.h.phelan@gmail.com
66-059 Alapii St., Haleiwa, HI 96712, Oahu

My name is Stephanie Phelan, I am a practicing Licensed Behavior Analyst in Hawaii. Behavior Analysis (ABA) is the only evidence-based treatment for Autism Spectrum Disorder. Through requiring the Registered Behavior Technician credential, we are ensuring a high level of competency and helping to control for the quality and success of ABA programs. As a Behavior Analyst, I want to see all our keiki succeed and flourish in school. Across the country we have witnessed the positive impact that ABA services can have for students and I believe ABA professionals including the LBAs and RBTs are an asset to our keiki's school teams.

If there is more information I can provide, please do not hesitate to contact me.

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IN STRONG SUPPORT OF SB2520

Sungalina Lee
1 Ohana Nui Way HNL 96817 | Oahu
slee@assets-school.net

As a parent, educator and engaged citizen, I am concerned that changing the licensure law, Chapter 465-D, will harmfully affect the most vulnerable of our keikis and families. We are a state who prides ourselves in our values, especially those related to our children and families so this new effort is not algebras with our values or the needs of teachers, students, parents or our community.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Sara Dinkelo
2056 A Puu Place, Wahiawa, HI | Oahu
sdinkelo@gmail.com

As a LBA, I can't stress enough the need for our keiki impacted by autism to have access to applied behavior analysis in schools. It's not a methodology but a science with regimented data collections systems to ensure progress and to make program changes based on performance. It is not possible to be "trained" to run an ABA program; it requires credentialed, licensed professionals who abide by strict ethical guidelines to do. Our teachers need support; they cannot teach and be required to do something that is out of their practice. ABA should not be limited to those with severe problem behaviors (however they should be prioritized) but an individual's access to ABA can impact their outcomes across their lifespan. Our keiki have a right to a free and appropriate education. ABA needs to be available to all children who need it and it needs to be provided by licensed credentialed professionals (LBAs), or else it is not ABA. I stand by current licensure law. I support our teachers getting the resources they need to have productive classrooms and help our keiki live productive lives.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Peggy Brandt
3288 Pamakani Place | Oahu
peggy.brandt@gmail.com

I support this bill because residents of Hawaii deserve to be supported with the best practices available to them. From my first-hand experience, they will not receive this without legal support.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!
I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Joelle Branch
91872 Puhikani St. | Oahu
Jbranch409@yahoo.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki

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IN STRONG SUPPORT OF SB2520

Josh Wilson
2056a Puu PI, Wahiawa | Oahu
rollout1983@yahoo.com

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I stand in strong support of our teachers and our keiki.

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415 South Beretania Street

IN STRONG SUPPORT OF SB2520

Anastasia Kellercollins
91-129 Nohoihoewa Way | Oahu
anastasiakellercollins@gmail.com

Sometimes it is so hard to do what is right. Sometimes it's too easy not to. Please do what is right. I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support our teachers and our keiki

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IN STRONG SUPPORT OF SB2520

Corrie Lynn Montalvo
911054 Hoakalei Street | Oahu
kuuipom77@gmail.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

COMMITTEE ON EDUCATION
Senator Michelle N. Kidani, Chair
Senator Kaiiali'i Kahele, Vice Chair

Wednesday, January 31, 2018, 2:45 p.m.
Conference Room 229 | State Capitol
415 South Beretania Street

IN STRONG SUPPORT OF SB2520

Andrea Keeseey
66-235A Kamehameha Hwy Haleiwa HI 96712
ak.keeseey@gmail.com

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IN STRONG SUPPORT OF SB2520

Lo Edmonds
66-235A Kamehameha Hwy Haleiwa HI 96712 | Oahu
loedmonds@gmail.com

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IN STRONG SUPPORT OF SB2520

Rachel Sammis
66-235A Kamehameha Hwy Haleiwa HI 96712
rachelsammis@gmail.com

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IN STRONG SUPPORT OF SB2520

Lisa Sakuda
1131 D Wainiha Street, Oahu
lisasak46@gmail.com

If we are pushing for Inclusion in the next school year, the DOE should allow Licensed Behavior Analysts (LBA) to come into the school, and help the teachers write the Functional Behavior Assessment (FBA), and help write Behavior Support Plans (BSP) for the students. We also need Registered Behavior Technicians to help work with the child in the classroom, they are supervised by an (LBA/BCBA). Applied Behavior Analysis does not only help children diagnosed with Autism, it can also help other children in the classroom, and it can help the teachers as well. Your teachers need help; they are tired at the end of the day. They feel the pressure with all the testing required by them, they do not need added stress by asking them write an Functional Behavior Assessment (FBA) on a student. They know nothing about writing an FBA. Would you want someone who is not a Licensed Surgeon to operate on your child? Help you teachers; they work very hard for our children. By not allowing ABA in the school, we are not hurting ourselves, but we are hurting the children, and we are making special education teachers want to quit. I have a couple of Special Education teachers who say they are very tired, and drained at the end of the day. They feel like they do not have the support they need. All they want to do is teach the children. We want the best for our keiki, and they deserve the best education. Put yourself in a SPED teacher shoes, put yourself in a child's shoes, and put yourself in a parent's shoes. How would you want your child, grandchild, niece or nephew to be treated, what kind of education would you want for your family?

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IN STRONG SUPPORT OF SB2520

Christina Libby
41-611 Inoaole St Waimanalo Oahu 96795
clibby@maulolearning.com

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IN STRONG SUPPORT OF SB2520

Nikole Ross
94-232 Emoloa PI | Oahu
nikole.ross82@gmail.com

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Melissa Urquidi
1620 Ala Aoloa Lp | Oahu
melissaurquidi@hotmail.com

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IN STRONG SUPPORT OF SB2520

Shanda Strickland
PO Box 894811 Mililani | Oahu
ssg808@yahoo.com

Any opportunity to improve environments, communication and access to positive, inclusive experiences should not only be utilized, but celebrated. Removing qualifications for those who directly impact the fundamentals of keiki, teachers, school and families, is in direct conflict with the philosophy and commitment of those who promise to aid our keiki.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

I stand in strong support of our teachers and our keiki!

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IN STRONG SUPPORT OF SB2520

Naomi Tachera
PO Box 6388 | Hawai'i
nkaae@hawaii.edu

Aloha, My name is Naomi Tachera; I live on Hawai'i with my family including two sons Kai'ao (7) and Kaleohano (5) with autism spectrum disorder. They are currently enrolled in public education and receive special education services with IEP's, what's not included in their IEP's is applied behavior analysis, despite years (since 2014) of advocating for FAPE under IDEA. The IEP teams are not taking into consideration the level of my children's disability and how autism impedes their ability to access a free and appropriate education with the use of ABA provided by a Board Certified Behavior Analyst licensed in the State of Hawai'i. Despite the fact that the DOE has lost in the ninth circuit court (R.E.B vs. State of Hawai'i DOE) in February 2017 because "DOE violated the IDEA by failing to specify Applied Behavioral Analysis ("ABA") as a methodology in the IEP" and after the passing of Chapter 465D Behavior Analyst Licensure Law in 2016, the DOE makes no effort to hire BCBA's working in that capacity. They instead are asking for an exemption to NOT provide FAPE in addition to restrictions set forth by an "IEP Team decision" on whether or not a student needs ABA only after they've exhausted all other strategies that do not work. That's taking away time from our precious children! If this analogy were the medical field and everyone that works in the hospital can claim to be a medical doctor or perform medical procedures, then consumers cannot be protected from malpractice. The reason why only people with demonstrated competency (i.e. BCBA competency in ABA) should practice in their scope of practice is for consumer protection. If the Legislation decides to support the DOE with this exemption regarding Chapter 465D, families, including myself will start to sue public school employees individually because of their involvement in violations of the Individuals with Disabilities Education Act (Crofts v. Issaquah School District). My entire family continues to suffer from overwhelming stress, hardship, and harassment from DOE staff members for advocating for our two children, no family deserves this treatment, no child with a disability deserves to be forgotten, and no community deserves to watch the most vulnerable members suffer.

I stand in strong support of SB2520.

Mahalo, Naomi Tachera

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IN STRONG SUPPORT OF SB2520

Eric Tachera
PO Box 6388 | Hawai'i
kealiloa@yahoo.com

Aloha, My name is Eric Tachera; I live on Hawai'i with my family including two sons Kai'ao (7) and Kaleohano (5) with autism spectrum disorder. They are currently enrolled in public education and receive special education services with IEP's, what's not included in their IEP's is applied behavior analysis, despite years (since 2014) of advocating for FAPE under IDEA. The IEP teams are not taking into consideration the level of my children's disability and how autism impedes their ability to access a free and appropriate education with the use of ABA provided by a Board Certified Behavior Analyst licensed in the State of Hawai'i. Despite the fact that the DOE has lost in the ninth circuit court (R.E.B vs. State of Hawai'i DOE) in February 2017 because "DOE violated the IDEA by failing to specify Applied Behavioral Analysis ("ABA") as a methodology in the IEP" and after the passing of Chapter 465D Behavior Analyst Licensure Law in 2016, the DOE makes no effort to hire BCBA's working in that capacity. They instead are asking for an exemption to NOT provide FAPE in addition to restrictions set forth by an "IEP Team decision" on whether or not a student needs ABA only after they've exhausted all other strategies that do not work. That's taking away time from our precious children! If this analogy were the medical field and everyone that works in the hospital can claim to be a medical doctor or perform medical procedures, then consumers cannot be protected from malpractice. The reason why only people with demonstrated competency (i.e. BCBA competency in ABA) should practice in their scope of practice is for consumer protection. If the Legislation decides to support the DOE with this exemption regarding Chapter 465D, families, including myself will start to sue public school employees individually because of their involvement in violations of the Individuals with Disabilities Education Act (Crofts v. Issaquah School District). My entire family continues to suffer from overwhelming stress, hardship, and harassment from DOE staff members for advocating for our two children, no family deserves this treatment, no child with a disability deserves to be forgotten, and no community deserves to watch the most vulnerable members suffer.

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Mahalo, Eric Tachera

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IN STRONG SUPPORT OF SB2520

Jolie Kaae
PO Box 6388 Kamuela, HI 96743, Hawai'i
kaaeohana@aol.com

Aloha, My name is Jolie Kaae; I live on Hawai'i with my family. I have two grandsons Kaiiao (7) and Kaleohano (5) who have autism spectrum disorder. They are currently enrolled in public education and receive special education services with IEP's, what's not included in their IEP's is applied behavior analysis, despite years (since 2014) of their parents advocating for FAPE under IDEA. The IEP teams are not taking into consideration the level of my grandchildren's disability and how autism impedes their ability to access a free and appropriate education with the use of ABA provided by a Board Certified Behavior Analyst licensed in the State of Hawai'i. Despite the fact that the DOE has lost in the ninth circuit court (R.E.B vs. State of Hawai'i DOE) in February 2017 because "DOE violated the IDEA by failing to specify Applied Behavioral Analysis ("ABA") as a methodology in the IEP" and after the passing of Chapter 465D Behavior Analyst Licensure Law in 2016, the DOE makes no effort to hire BCBA's working in that capacity. They instead are asking for an exemption to NOT provide FAPE in addition to restrictions set forth by an "IEP Team decision" on whether or not a student needs ABA only after they've exhausted all other strategies that do not work. That's taking away time from our precious children! If this analogy were the medical field and everyone that works in the hospital can claim to be a medical doctor or perform medical procedures, then consumers cannot be protected from malpractice. The reason why only people with demonstrated competency (i.e. BCBA competency in ABA) should practice in their scope of practice is for consumer protection. If the Legislation decides to support the DOE with this exemption regarding Chapter 465D, our family, our community will start to sue public school employees individually because of their involvement in violations of the Individuals with Disabilities Education Act (Crofts v. Issaquah School District). My entire family continues to suffer from overwhelming stress, hardship, and harassment from DOE staff members for advocating for our two grandchildren, no family deserves this treatment, no child with a disability deserves to be forgotten, and no community deserves to watch the most vulnerable members suffer.

I stand in strong support of SB2520.

Mahalo, Jolie Kaae

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IN STRONG SUPPORT OF SB2520

Kaleo Kaae
PO Box 6388 Kamuela, HI 96743 | Hawai'i
kaaeohana@aol.com

Aloha, My name is Kaleo Kaae; I live on Hawai'i with my family. I have two grandsons Kaiiao (7) and Kaleohano (5) who have autism spectrum disorder. They are currently enrolled in public education and receive special education services with IEP's, what's not included in their IEP's is applied behavior analysis, despite years (since 2014) of their parents advocating for FAPE under IDEA. The IEP teams are not taking into consideration the level of my grandchildren's disability and how autism impedes their ability to access a free and appropriate education with the use of ABA provided by a Board Certified Behavior Analyst licensed in the State of Hawai'i. Despite the fact that the DOE has lost in the ninth circuit court (R.E.B vs. State of Hawai'i DOE) in February 2017 because "DOE violated the IDEA by failing to specify Applied Behavioral Analysis ("ABA") as a methodology in the IEP" and after the passing of Chapter 465D Behavior Analyst Licensure Law in 2016, the DOE makes no effort to hire BCBA's working in that capacity. They instead are asking for an exemption to NOT provide FAPE in addition to restrictions set forth by an "IEP Team decision" on whether or not a student needs ABA only after they've exhausted all other strategies that do not work. That's taking away time from our precious children! If this analogy were the medical field and everyone that works in the hospital can claim to be a medical doctor or perform medical procedures, then consumers cannot be protected from malpractice. The reason why only people with demonstrated competency (i.e. BCBA competency in ABA) should practice in their scope of practice is for consumer protection. If the Legislation decides to support the DOE with this exemption regarding Chapter 465D, our family, our community will start to sue public school employees individually because of their involvement in violations of the Individuals with Disabilities Education Act (Crofts v. Issaquah School District). My entire family continues to suffer from overwhelming stress, hardship, and harassment from DOE staff members for advocating for our two grandchildren, no family deserves this treatment, no child with a disability deserves to be forgotten, and no community deserves to watch the most vulnerable members suffer.

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Mahalo, Kaleo Kaae

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IN STRONG SUPPORT OF SB2520

Olympia Frink
66-916 Kuewa Dr Waialua, HI 96791 | Oahu
supgirl77@gmail.com

Our schools need behavior analysts, particularly Licensed Behavior Analysts (LBAs) and Registered Behavior Technicians (RBTs) to get our special Ed children the education they deserve. The teachers and current professionals are too few on campus, and have proven they are not able to provide the proper support in reference to kids with autism.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Kenny Frink
66-916 Kuewa Dr Waiialua, HI 96791
Oahu
kennyfrink71@gmail.com

Our schools need behavior analysts, particularly Licensed Behavior Analysts (LBAs) and Registered Behavior Technicians (RBTs) to get our special education children the education they deserve. The teachers and current professionals are too few on campus, and have proven they are not able to provide the proper support in reference to kids with autism.

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IN STRONG SUPPORT OF SB2520

Tyler Rogers
68-386 Kikou St. Waiialua, HI 96791 | Oahu
rogerstyj@hotmail.com

ABA is needed in Hawai'i schools. Our keiki have been waiting. DOE needs to work with Behavior Analysts. Psychologists are useful team members, but are no replacement for experts in ABA. My son is autistic. Rather than getting proper support in school, he has been suspended multiple times for things directly related to his disability because the school doesn't know how to handle children with behavior issues. He needs the support of licensed behavior analysts in the school setting to help supplement the therapy he already has access to in the home through our private insurance. Please help our keiki.

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Tara Ormond
70 Niuhi Street | Oahu
tara.ormond07@gmail.com

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IN STRONG SUPPORT OF SB2520

Carla Jager
95-1517 Ainamakua Drive Apt 87 Mililani | Oahu
carla.jager94@gmail.com

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Leanne Nagai
2471 Auhuhu Street | Oahu
nagai.leanne@gmail.com

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Alexandra Sagastume
1255 Nuuanu Avenue | Oahu
aps88@comcast.net

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IN STRONG SUPPORT OF SB2520

Vania Simmons
68025 Apuhihi St | Oahu
brazilnut@hawaii.rr.com

We definitely need more parents with children on the spectrum in Congress! Only those parents truly understand the needs of the children with autism. Applied Behavior Analysis is a scientifically validated approach to understanding behavior and how it is affected by the environment and a known strategy to change/modify the behavior of children on the spectrum! A proactive and concern parent of a child with autism.

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IN STRONG SUPPORT OF SB2520

Jeanette White
95-1085 Milia Street | Oahu
jeanettew1@yahoo.com

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IN STRONG SUPPORT OF SB2520

Ashley Brown
66-135 Oliana | Oahu
thedb_brown@yahoo.com

I have a severely autistic son with behavior problems. The school instead of helping him placed him on homebound. We need licensed behavior analysts (LBA) on our team.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

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IN STRONG SUPPORT OF SB2520

Celeste Nishijima
98-410 Koauka Loop, Apt. 6G | Hawaii
celesterodrigues92@gmail.com

As an RBT and an individual pursuing my BCBA credential, I believe that our teachers and keiki deserve the best support available. Our teachers work extremely hard everyday to teach our keiki, and the support of licensed behavior analysts and RBTs will help teachers to ensure that all keiki have access to an appropriate education. Chapter 465-D ensures that our keiki have access to applied behavior analysis services by licensed behavior analysts and RBTs. Our keiki are the future, and they deserve the evidence-based treatment of ABA delivered by licensed professionals. We need to give our keiki the very best we have to offer!

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IN STRONG SUPPORT OF SB2520

Michelle Lam
3938 Kilauea Ave. | Oahu
michelle_l_808@yahoo.com

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IN STRONG SUPPORT OF SB2520

Debi Hoohuli-Rosa | 506 Kumulani Dr | Maui | debi.hoohuli@gmail.com

What happens when non-licensed and non-credentialed individuals attempt to practice or implement behavior analytic procedures? I moved to Maui in 2014 and worked for a contracted agency as a Skills Trainer within the Department of Education (DOE). I initially worked in a fully self contained classroom overseen by a Special Education Teacher who was so bogged down by paperwork she had little to no time to spend teaching the keiki. There were keiki in the classroom who had problematic behaviors, including but not limited to, aggression, self-injurious behaviors and elopement. One of the keiki's parents requested a Board Certified Behavior Analyst (BCBA) consultation, specifically stating that they were interested in receiving an updated Behavior Support Plan (BSP) for their keiki. A District Autism Consultant (no identifiable licensure) came to the classroom several times and within the course of her visits made scientifically impractical and potentially harmful biomedical, non-evidenced based recommendations such as: chelation therapy and gluten-free/casein free diet. When parents asked if these were ABA interventions, she stated, "ABA means a lot of different things, these interventions would be considered ABA." The interventions were considered by the parents but ultimately not utilized. No recommendations were made to the teacher for the classroom other than, "use trialing - an ABA method - to teach him to communicate." The teacher was then provided with a template form and advised by the Autism Consultant Teacher (ACT) to write a Behavior Support Plan (BSP) based on information received from the Paraprofessional (1:1 assistant). This resulted in an ineffective and non-functional BSP. The following year, I witnessed a District Autism Educational Assistant, who after 6 months of working with a keiki with severe behaviors without a BSP in place, make a formal recommendation to a parent of a child with ADHD and Autism that included the purchase and use of CBD, a cannabis compound! Since then I have worked at 19 different schools on the of Maui, including two private schools and have on several occasions witnessed support staff, administrators, and teachers engage in unethical behavior including social disapproval, shaming, physical abuse, and inappropriate restraints and seclusion in attempts to intervene on inappropriate and problematic behaviors that our keikis engage in. The majority of the occurrences that I witnessed involved keiki who had poorly written or no Crisis or Behavior Support Plans (BSP). Further investigation determined that the majority of the BSPs the staff were directed to implement were not based on Functional Behavior Assessments (FBA), per federal law, and in fact, several were actually based on a template distributed to Behavior Health Specialists (BHS), School Psychologists and teachers by the District Consultants. Faulty BSPs developed by unlicensed individuals, implemented by non-credentialed individuals result in due process hearings, teacher and direct care staff burn out, high turnover rates of front line staff, and severe injury to staff and keiki, as well as the unethical treatment of staff and keiki. Our most vulnerable keiki are placed in harm's way when non-licensed and non-credentialed individuals attempt to practice or implement behavior analytic procedures. I stand in strong support of SB2520, which seeks

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IN STRONG SUPPORT OF SB2520

Aimee Watkins
Po box 1237 Kapaau HI 96755
aimeemalialani@hotmail.com

Our keiki need these behavior analyst specialists, the law is there for a reason- with more keiki needing these specialized services everyday we can't afford this change.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

I stand in strong support our teachers and our keiki

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IN STRONG SUPPORT OF SB2520

Chelsey Mendoza
P.O. Box 492535 Keaau | Hawaii 96749
chelseysalomon@gmail.com

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IN STRONG SUPPORT OF SB2520

Trisha Petit
4192 Keanu St., #4 | Oahu
tpetit808@outlook.com

The DOE has already been violating the law.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Lohea Merola
75-6081 Alii Drive X103, Kailua Kona, HI 96740
llimmerola@gmail.com

My son was diagnosed with autism spectrum disorder. He has grown leaps and bounds due to a program he was fortunate to be a part of that included an RBT and a BCBA. Since he has been in the DOE progression has been minimal and the teacher often asks me why my son does not perform and she does not know how to work with my child on skills like eating and doing schoolwork. I have asked for additional support in the classroom and they cannot provide anyone to work on specific skill sets that will set my child up for success in his educational career. I have only asked for the teacher to take data and for us to work together on a program of how to teach my son and what skill sets we should focus on, but what is happening currently in the school does not replace ABA therapy. I know this first hand because my son is not progressing at the speed that he did when he was immersed in an ABA program.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

I stand in strong support of our teachers and our keiki.

COMMITTEE ON EDUCATION
Senator Michelle N. Kidani, Chair
Senator Kaiiali'i Kahele, Vice Chair

Wednesday, January 31, 2018, 2:45 p.m.
Conference Room 229 | State Capitol
415 South Beretania Street

IN STRONG SUPPORT OF SB2520

Kaiolohia Tolentino
P.O. Box 2467 | Hawaii
kaikait55@gmail.com

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IN STRONG SUPPORT OF SB2520

Dawn Decoito
94-520 Kupuohi Street, Apt 101, Waipahu | Oahu
ddecoito808@gmail.com

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IN STRONG SUPPORT OF SB2520

Erin O'Donnell
Po Box 437333 | Hawaii
nellieod@yahoo.com

Our keiki need and deserve the right type of providers with the qualifications to serve them. As a provider I have seen kids who need special needs behavior analysts to serve them, this can't be done by just anyone and certainly not teachers who need to focus on all the students in a classroom. Give our keiki, their families and teachers the support to help them thrive and grow with the right tools.

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IN STRONG SUPPORT OF SB2520

Juri Ishida
95-024 Waihau St | Oahu
jurishida@gmail.com

I have seen some children with Autism forced to leave DOE due to lack of professional help (ABA). These children, including my child, have so much potential and are able to academically thrive with the help of ABA. Train the direct staffs with ABA under Licensed Behavior Analysts (LBA); have them obtain RBT credentials and the learning environment for both children with Autism and teachers would be so much better. Please take care of our keikis.

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IN STRONG SUPPORT OF SB2520

Jesica La Rue
Hc2 Box 5726, 16~1703 41st Orchidland | Hawai'i
Divineewon@gmail.com

Our son is a student with DOE on the Big of Hawai'i. His FSC class is not supporting his behavioral and educational needs. I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Felicia Clausen
5029 Milburn Loop | Oahu
garneyfs@gmail.com

As a parent, we want our children to get the services they are entitled and depend upon. There are many challenges that they face and having a child with Autism- Applied Behavior Analysis (ABA) has become a major key to our home and life. It is important that the provider is licensed. ABA has allowed my child to be able to function around peers, the community and in the home. It has helped with self-injury, tantrums and poor self-regulation. My child has so much grow and has been reaching his potential with the help of his Licensed Behavior Analyst (LBA) and Registered Behavior Technician (RBT). Our children deserve the right to have ABA by licensed providers in the school.

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IN STRONG SUPPORT OF SB2520

Nicole Olival
Po Box 732 Hawai'i
dojah8@yahoo.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

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IN STRONG SUPPORT OF SB2520

Simone Hawkins
2055 Ala Wai Blvd #502 Honolulu
simonehawkins@teampbs.com

I believe this would have a negative impact on the kids.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

John Paul (JP) Phelan
66-059 Alapii St., Haleiwa, HI 96712, Oahu

I support licensed behavior analysts. It's the right thing to do for our keiki.
I believe this would have a negative impact on the kids.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE
by qualified providers!

I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Corey Wolff
58-117 Kaunala St | Oahu

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

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IN STRONG SUPPORT OF SB2520

Lawson Cosseboom
61-280 Kamehameha Highway
Haleiwa, Oahu

We need licensed providers to aid our teachers and our keiki. It's not rocket science, it's common sense. Why is the Hawaii DOE so quick to ask to be carved out from something that was created to protect consumers? Let's do the right thing Hawaii, for our keiki, our teachers, and our community.

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IN STRONG SUPPORT OF SB2520

Nikki Shigematsu
P.O. box 324 | Hawaii

nikkishigematsu@yahoo.com

What is going on in our state DOE system?? The need is here and NOW, the funds are available!!! We want answers as to why so much wasted time at the expense of our keiki. What legitimate reasonings does the DOE have refusing to follow federally mandated laws, designed to aid our keiki!!!!

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IN STRONG SUPPORT OF SB2520

Marija Colic
1645 Ala Wai Blvd Apt 508
Oahu

colicmarija@outlook.com

I am new to Hawai'i, but not new to quality services. As a provider, I know the value of licensed and appropriately credentialed staff. Let's do the right thing for our keiki.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

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IN STRONG SUPPORT OF SB2520

Dawna Moody
70 Niuhi Street | Oahu
dawna_moody@yahoo.com

My grandson has a doctor's diagnosis of autism but it has taken 18 months for his school to accept this diagnosis and allow him to receive services. He was denied over and over. The principal and others vehemently fought to discourage this family from getting the services and support in school that he needed. The problem is that we have been down this road before. We had to fight for OUR son to get services back in the 1990's. We had to sue the DOE. Which worked. In our grandson's case every avenue was explored but it too came down to a lawsuit. The imminent threat resulted in him FINALLY receiving the services he was legally due for the past 18 months. And now the DOE would like to do away with the very thing that makes it possible for many of these severely affected children to be able to function in the world. Having behavior analysts follow these children and support them to learn and grow is vital to their ability to make sense of their very confused perception of what is happening around them every day. The DOE has refused to train and hire licensed, trained professionals that would be available to work in the schools, hand in hand with the educators. The DOE has prohibited teachers from receiving further training and even gone as far as threatening the jobs of teachers who had expressed a desire to receive further training that would help them with these lost children. I oppose the DOE's desire to take away the requirement to provide one-on-one support to those children most in need. The DOE has been lazy and stubborn in not realizing that this is a new world. We have the ability to diagnose disabilities much earlier and provide the needed support. We can help these children navigate the education system successfully. Don't allow the DOE to take away something that was fought so long and hard for by LUKE, his family, and many others who have remained unnamed. Don't make lawsuits the only stick that can force compliance.

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IN STRONG SUPPORT OF SB2520

Kahaleno Kamalani
95-169 Kipapa Drive 33 | Oahu

kpk@hawaii.edu

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Kaiki Gunderson-Cook
PO Box 343 Kamuela, HI 96743
Hawaii

risingtide80@hotmail.com

The DOE needs to support the children of Hawaii. Resources should be offered for educational opportunities, not taken away. This includes children with autism. The DOE should provide this support by having Licensed Behavior Analysts who understand ABA, because they understand the needs of the children. These children will grow up and become a part of our everyday community. We need to make sure they are supported as much as possible in the classroom to teach, mold, and promote the best person that each child can become. We want them to thrive and become an active community member as adults.

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IN STRONG SUPPORT OF SB2520

Rachel Sanchez
901 Point Comfort Loop Hampton, VA | Former Hawai'i Resident (Oahu)
rsanchez701@yahoo.com

I would like to share our personal journey about our son Julian diagnosed with autism/speech delay at the age of 3 years old. After his diagnosis, we started with enrolling him in an ALL day Early Childhood Program located at our nearest elementary school. Along came additional services needed outside of school to include, speech therapy, occupational therapy, physical therapy, and ABA services. In order to make sure we did everything for my son that was needed, we only relied on reputable companies in our area. I can say that throughout the years Julian progressed but this is also due to the fact that we had exceptionally trained therapists in our home. It was intense therapy as he grew to age 7-10 years old. We had a trained therapist in our home 2 hours a day 5 days a week while I homeschooled some of the years and kept all of his therapy appointments and social/community programs going. All of our therapists interacted so that each knew what was being worked on with Julian. I also provided details and had to keep on top of all of it. I couldn't imagine having someone untrained in the specific ABA methods used for my son at the time. It's because of those trained individuals, that I attribute his amazing success back into a great public high school, with minimum supports now because of his independence and becoming a wonderful student academically and socially. He is now 14yrs. old What an amazing journey thus far and looking forward to what's ahead for him. I'm grateful for our trained ABA Therapists whom were so dedicated to Julian and us as our family needed so desperately in his younger years. I ask that my testimony be attributed to keeping only trained ABA Therapists in our schools and outside reputable companies who specialize in ABA. It's truly detrimental to our children's progress.

Thank you for your time in reading our story.
Rachel Sanchez 702-637-8142

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IN STRONG SUPPORT OF SB2520

Wendi Park
94-290 Lupua Place | Oahu
wendihp@msn.com

Knowledge is power, and our children and those supporting our children, teaching our children, and parents loving their children deserve the right to access ABA through and in the DOE. Teachers, Psychologists, Behavior Support Specialists, Speech Therapists, Occupational therapists, are all valued team members, but no one should be replacing another in their role of expertise. Each team member brings knowledge to the table and the Keiki deserve the right to have these specialists working together including an LBA. Our children have no time to waste and the earlier we can help them in all parts of their lives, school, home, and within our communities the better it can be for the individual, their families, our schools, and our state.

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IN STRONG SUPPORT OF SB2520

Jeanette Perez | jcperez@hawaii.edu
16-768 Milo street Keaau HI 96749

I am a licensed special education teacher here in Hawaii who has since left the classroom due to poor management by administrators, harassment on a personal level by an administrator and no support for special education. I worked at the same school I did my student teaching. I was excited and focused on providing the best care and education to my students. I worked in the fully self-contained classroom for 5 years. Three of those years were with students with multiple disabilities from PreK-5th grade and two were in an "autism" class created by the school. The school has gone through multiple administrators but at one point my concerns were heard and the administration at the time agreed that students on the autism spectrum (ASD) needed a more specialized environment with multiple supports. As the teacher in this class, I struggled with how to support my students. I did receive 2 helpful training's (PECS and TEACCH) from the district office but quickly realized it was not enough. I then heard of Luke's Law and began to read up on it. I then found that Chapter 465-D which is the licensure of Behavior Analyst law in Hawaii. After reading it and learning more about it, I realized that I was being asked to work outside of my scope and sequence as a teacher. I was not given access to Board Certified Behavior Analyst (BCBA) but was asked to do the work. I was not given training on Functional Behavior assessments or Behavior support plans. This is when I decided to pursue my license in Behavior Analysis. I knew that I wanted to continue working with children with special needs, especially those on the autism spectrum. I am now in my 5th course out of 6 and can only look back and think about how much I could have helped my former students. If I had this knowledge and most importantly, been supervised by a BCBA to apply the knowledge with a student my impact could have been more profound. It is incredibly disappointing to see the DOE try and undermine the work of behavior scientist. Behavior science is unfortunately not common knowledge and it is also not a part of the teaching programs here in Hawaii. Instead of working with licensed behavior analyst, the DOE would rather train their staff in restraints. Denying the effectiveness and the science behind ABA is like denying the science behind climate change. Do we as a state move forward together and deny evidence-based practices in behavior change and allow anyone to perform the duties of a licensed professional? Would this be an acceptable proposal in any other work setting? Would we allow hospital employees from janitors and cafeteria staff implement medical interventions? Would we let any doctor perform brain surgery? Would we allow anyone with a driver's license drive heavy equipment or semi-trucks? NO! There are specialized educational programs and licenses that one needs to obtain to perform these jobs. We need to hold our Department of Education employees to the same standard as we do for those in other positions. If the DOE does not have the capacity to internally bring this service to all students who need it, they need to contract out from a private provider. Denying students medically necessary services in the DOE setting is in direct violation of FAPE and IDEA. Mahalo for your time.

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IN STRONG SUPPORT OF SB2520

Kira Burleson
2134-Mott Smith Dr Honolulu, HI 96822 (Oahu)
kburleson@teampbs.com

ABA is essential for the correct FBA and interventions to be implemented. I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Joshua O'Kain + Ewa Beach | Oahu | jokain@teampbs.com

When I began my career as a special educator with profoundly impacted high school students, I had the privilege of working alongside a classroom BCBA. This BCBA was able to help two of my children obtain intensive ABA treatment in my classroom during the school day because of their needs. With this BCBA's support, I was able to modify my classroom (with her oversight) to create child-centered behavior reduction and skill acquisition programming that led to each and every one of my students having a method of communication with their peers and other adults around them. This single change in their education helped lead each child to a more meaningful and relevant high school experience. I believe that, if all teachers who are in these severe and profound classrooms had access to support from a BCBA for consultation and/or direct therapy with an RBT, our teachers would be able to concentrate on creating and incorporating quality curriculum and incorporating the methods that the RBTs/BCBAs implement.

Our teachers, although well meaning, do not have the support necessary to be successful in their classrooms, especially when the expectations are that they should perform FBAs and BIPs. I have seen, first hand, as an instructor at the University of Hawai'i for emergency hires and BCBA track students, that our teachers do not have the knowledge necessary to manage and prevent challenging behaviors. Most of the teachers that I observed and taught, did not have the ability or knowledge to create FBAs and BIPs that were fit for implementation. They also utilized ABA "methodology" incorrectly and inconsistently. Although many of them were almost at the end of their course sequences, they were mainly focused on how to teach rather than how to manage behaviors. Even their "mentor" or "supervising" teachers, when asked, could not identify appropriate methods. This is quite concerning to me as a university instructor and it should be concerning to all educators and parents.

In my opinion, if we were able to collaborate to improve our education support systems to include BCBAs and RBTs as a related service (much like services such as OT or PT), we would be able to make better use of our teachers' skill sets and help them to appropriately manage behaviors and utilize ABA as a related service to gain appropriate consultation and oversight as they relate to instruction with intensive, empirically validated methods that may be suggested by an LBA.

Out of the 40-50 children that I have worked with on the s, I would say not even one has had appropriate services or instruction that would be maximizing their functional or academic skills. I'm uncertain why our DOE is resistant to having help from outside agencies. I can say that, as a general Ed and licensed special education teacher, as well as a Licensed Behavior Analyst, across 4 states, I have seen a variety of schools. I can say, with confidence, that the state of our SPED programs in Hawai'i are dismal, at best. It is our responsibility as educators and citizens to assure that our keiki have the best education possible so that they can become active, productive members of society.

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IN STRONG SUPPORT OF SB2520

Chelsea Jeansonne
988 Ohana Nui Circle | Oahu
miahj81@yahoo.com

My son is 5 and has had ABA since he was three. He had a RBT one on one all day at school. We moved to Hawaii in July. The school determined he did not need a one on one paraprofessional. He also was not offered any ABA services during the school day. We have to use private ABA. Since most companies have a one-year wait list for afternoon appointments we have to pull from the school day. He will miss 15 hours a week from school to attend ABA therapy. He can't function in the classroom until we get the behaviors in control. The school has threatened us with truancy since we pull him 15 hours a week from the classroom. However, we have no choice but to pull him in order to receive the medically necessary ABA therapy. We have seen huge gains thanks to ABA therapy. We are considering homeschool next year in order to maintain a more stringent therapy schedule. He is not progressing in the classroom and SPED like we know he can. This is due to not having his RBT with him during the school day. He struggles staying on task without constant redirection. He still needs that one on one attention and the school has made little effort to help accommodate his individual needs. We asked about providing his RBT in the classroom but we were told several times that this was not allowed. We asked for one through the school and we received no response of yes or no. They ignored my question. The purpose of IDEA is to make sure that all children are able to have their individual learning needs met in the classroom. My son needs ABA to meet his individual needs. The IEP he has does not accommodate all of his individual needs. The school is not holding up their end of FAPE. Which in all honesty I don't have a clue how they are legally allowed to get away with this. Their job is to make sure all children have the education that fits their needs. The school is not making sure that my child receives all the accommodations he needs. I feel they are doing what is best for them and not what is best for my child. ABA is a huge component to the success of my son. The school is not providing the best education for him. So we will be looking elsewhere.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Patti Heath
2112 Point Welcome Pl | Oahu
patricia.heath1@gmail.com

ABA is essential to improving the quality of life our kids can develop over the years. Please don't take this away from them.

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IN STRONG SUPPORT OF SB2520

Bernadette Cuba
98-142 Lipoa Place#307 | Oahu

stuntman300@gmail.com

I think kids need it in school need ABA. thank you very much. Bernadette Cuba

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IN STRONG SUPPORT OF SB2520

Molly Stemmler
59-602 A Kamehameha Highway | Oahu
refugee.molly@gmail.com

The intention of the ABA licensure law was to bring credibility to behavioral practices and to increase consumer protections in our state. As a society, we must take care of each other. It's our kuleana.

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IN STRONG SUPPORT OF SB2520

Heidi Nobmann
67-249 KIAPOKO ST | Oahu

heidinobmann@gmail.com

The people of Hawaii deserve trained professionals so they have the opportunity to succeed. I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Kendall Mindar
533 Kaukaalii St. | Oahu
kendilynn7@hotmail.com

Our kids deserve the best possible help they can get. I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Jackie Gailey
115 Kilu Lane | Oahu
gangstaj08@gmail.com

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IN STRONG SUPPORT OF SB2520

Johanna Poore
168 Kline Rd. | Oahu
jrasbrat@yahoo.com

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IN STRONG SUPPORT OF SB2520

Kellie Crowder
67-242 Kanalu St. | Oahu
kellcrowder@gmail.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

COMMITTEE ON EDUCATION
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Wednesday, January 31, 2018, 2:45 p.m.
Conference Room 229 | State Capitol
415 South Beretania Street

IN STRONG SUPPORT OF SB2520

Meagan Bresson
70 Niuhi street | Oahu
meagan.bresson@gmail.com

These behavior analysts are crucial for autistic children like my nephew. We have seen leaps and bounds while he was under the care of a licensed behavior analyst.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Denita Mortensen
1154 Dover Drive Provo, UT 84604 | Oahu
denita.mortensen@gmail.com

As the mother of a child with disabilities I know how very important it is for children to have early intervention. In other states child psychologists, therapists and special education teachers are trained to analyze and advocate for the needs of the child within the public schools to ensure their progression and scholastic success. As educators, parents and indeed all members of the community will agree that helping our children become and do their best is not only beneficial to the child but to society in general. We have a duty to provide the best learning environment for all our children not just the ones who fit easily into the less-than-perfect existing educational model. The funding is there. We pay taxes and expect it to be used in a prudent way to provide for the needs of ALL our children.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Maureen McComas
7221 Luhi Place | Oahu
rainbowmomhi@gmail.com

Our child made minimal progress in school, and was provided poorly implemented ABA prior to and after the licensing law went into effect- by unlicensed and unqualified staff. Her behaviors prevented her from accessing her learning. As parents we made the difficult decision to remove her from school and place her in a clinical ABA setting where she has blossomed into a happy engaged learner who for the first time has meaningful communication. She has made amazing progress in all areas working with the dedicated and passionate staff that includes only licensed LBA's and RBT's who provide individualized ABA that is specifically designed to meet her unique needs in behavior, communication and social skills. Despite this documented progress, the DOE refuses to include ABA into her school programming. We have seen firsthand the amazing benefits of ABA programming provided by licensed and certified providers, and have seen firsthand the damage that can be caused by unqualified direct support workers. We stand in strong support #fourkeiki !

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IN STRONG SUPPORT OF SB2520

Whitney Moody
68-386 Kikou St | Oahu
whittygirl83@yahoo.com

You need to have licenses behavioral analysis on staff in order to help children with different abilities, especially with things like ASD. My nephew attends a public school here, and he needs this help in order to be successful! All our keiki deserve the opportunity to be successful!

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Kelsey Kamauu
67-456 kioe St | Oahu
kelskamauu@gmail.com

All children need to be treated with equity - some children need more help than others - so do it right and give them that help in the right way with people that have the education and expertise to help them!!

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Gina Konishi
1581 Violet Street | Oahu
geegina46@yahoo.com

I'm in strong support for ABA in schools because I have a cousin that teaches in the public school system here in Hawaii. She's worked as a 1:1 with students with autism here and also on the neighbor islands. I have witnessed the large amount of dedication that she puts in with her students and coworkers. My cousin Ashley puts in the time and effort to research strategies that help behavioral students and also seek advice from licensed behavior analysts. She often tells me her struggle working under unqualified professionals who use strategies that have not been vetted. I work in the healthcare facility and having people with the right skills and knowledge gives us the assurance of the do's and don'ts on appropriate treatment and procedures. Like in many professions we always seek other professionals for guidance when we are unfamiliar. Why should children be any different or be an exception to the rule? Students that have had the opportunity to have my cousin Ashley as a teacher has made great gains not because she's a teacher but because she knows what it takes to make an impact on each of her students and she's not afraid to seek professionals BCBA's for guidance.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Coco Pollock
68-300 Mahina ai street, 68-300 | Hawaii
cocojpollock@gmail.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Shazlei Sampaio-ribucan
911159 keahumoa pkwy | Oahu
ms.shazlei@yahoo.com

ABA is needed. My son has severe autism and is non-verbal. Imagine yourself or your child need something and its going to be taken away. How would you react and do when you fight for your child to have something and it's going to be gone. ABA – we need it.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Wendy Lowry
67-345 Kaiea Pl | Oahu
wendylowryonline@gmail.com

Special Ed in Hawaii is so far behind the rest of the country. They need better help! I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Tasi Taylor
68-017 Waialua | Oahu
tasi.taylor@gmail.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Sara Rowley
68-450 Kikou Street | Oahu
sararowley55@gmail.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Lyle Moody
70 Niuhi Street | Oahu
dawna_moody@yahoo.com

Please don't let the school system get away with denying my grandson the services he needs. They need to step up and provide the services that these kids are eligible for and to make sure there are trained professionals ready to provide the service. Why is the DOE not stepping up to take care of our children? Please do what is best for our children.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Brighton Johnson
68450 Kikou street | Oahu
brightyy101@gmail.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Carly Penaranda
68-416 kikou st | Oahu
carlybeth.swim@gmail.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Jennifer Hales
70 Niuhi St | Oahu
jenniemoody92@gmail.com

My nephew is autistic and his behavior analysts have done WONDERS for him. His quality of life is better, he is happy and his behavior has completely changed for the better. Please help my nephew. The DOE needs to have licensed behavior analysts on staff to help kids with behavior issues. Please don't let the DOE get away with not helping these kids.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support our teachers and of our keiki.

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IN STRONG SUPPORT OF SB2520

Mai Waye
951062 kamalino st mililani hi.96789 | Oahu
tawmdl@aol.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support our teachers and of our keiki.

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IN STRONG SUPPORT OF SB2520

Sarah Sutton
67-616 Kahui Street, Waialua | Oahu
sarah@sustainablemuseums.net

Applied Behavior Analysis (ABA) is one of the most powerful tools we have to address autism and other development and emotional challenges. Its adaptive nature ensures appropriateness for each case. What we do for our keiki now when they are young makes an exponential difference for them, their families, and their communities and Hawai'i in the future.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Lisha Padilla
99-943 Halawa Heights Rd. Aiea, HI 96701 | Oahu
lishac57@gmail.com

I am a former public school special education teacher and I can say from experience that my classroom and my students greatly benefited from applied behavior analysis. ABA is an evidence-based practice that should be utilized in all classrooms. I have seen, first-hand, the benefits of ABA for students with disabilities and as a teacher, the progress that my students made and the joy that it brought their families can be directly attributed to applied behavior analysis.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support our teachers and of our keiki.

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IN STRONG SUPPORT OF SB2520

Noelle Dennard
94-1071 Kaukahi Place, A9
nchapman@alumni.princeton.edu

I work as an RBT at a private clinic, and I have seen firsthand what ABA therapy can do for kids with special needs. I also have heard many negative things, from parents and from DOE-contracted skills trainers, about the lack of training and organization in many of the agencies that are contracted for special education workers. It seems that ineffective programming often goes unchanged for long periods of time in settings where ABA professionals are not present. By contrast, the programs at our clinic are being evaluated every day by BCBAs and RBTs, and the constant communication ensures that programming is always being improved for maximum efficacy. I think special education in public schools would benefit greatly if ABA professionals were always present in those settings.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Melody Ericson
98-1729 Kaahumanu Street #B
melodymansour@hotmail.com

I support our teachers and our Keiki! I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers!

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IN STRONG SUPPORT OF SB2520

Alison Dinsmore
1916 Fox Blvd | Oahu
ali_r_lose@yahoo.com

DOE should have their own ABA in schools. I'm a RBT and work with children that have autism; I have also worked in a public school. It's really sad to see the lack of education and help provided to children in the DOE. The children are our future and we should be doing everything in our power to help these children thrive and succeed in life. The easiest way to do this is to educate teachers, students, and DOE skills to help these children. The DOE should be adding more ABA services, not taking services away.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Benjamin Penland
471B Hinano Way | Oahu
bpenland@gmail.com

Our children deserve quality treatment provided by Licensed Behavior Analysts and nothing less. I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Carolyn Penland
471B Hinano Way | Oahu
bpenland@gmail.com

Our children deserve quality treatment provided by Licensed Behavior Analysts and nothing less. I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Forest Penland
471B Hinano Way | Oahu
kathleenmpenland@gmail.com

Licensed Behavior Analysts can help our keiki reach their fullest potential. Broadening the law to "any licensed professional" to design, implement, and oversee ABA will allow the status quo to continue. We cannot allow that. Thank you for your consideration. I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Kerilyn Pollock
68 300 mahinai ai street Waialua | Oahu
keriynpollock@yahoo.com

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Lara Bollinger, M.S.Ed., BCBA, LBA - lara.bollinger@gmail.com
61-280 Kamehameha Hwy. Haleiwa, HI | Oahu

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Michelle Rogers
68-386 Kikou St Waiialua HI 96791
michellejumprope@gmail.com

Thank you this bill. Our schools need ABA so badly. I work in a school and these programs help so many. Not only do they help the children but help the parents that totally need help. This program is helping my nephew right now and he truly needs it sense he has been in the program he has been able to do much better but he still needs more help so I plead with you to not cancel it.

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Tracey Kashiwa
1503 Emerson St. Honolulu , Hi96813 | Oahu
tracey.kashiwa@gmail.com

Every kid that enters the DOE, does deserve a chance! I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support of our teachers and our keiki.

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IN STRONG SUPPORT OF SB2520

Stephanie Ngo
531 Hahaione St. Apt. 13C | Oahu
sngo@hawaii.edu

I stand in strong support of SB2520, which seeks to allocate money to bring ABA in the DOE by qualified providers! I stand in strong support our teachers and of our keiki.



Hawai'i Psychological Association

For a Healthy Hawai'i

P.O. Box 833
Honolulu, HI 96808

www.hawaiipsychology.org

Email: hpaexec@gmail.com
Phone: (808) 521-8995

Committee on Education

Senator Michelle N. Kidani, Chair

Senator Kaiali'i Kahele, Vice Chair

Testimony in opposition to SB2520; proposed amendment

The Hawaii Psychological Association (HPA) recognizes that there is a shortage of qualified providers of behavioral services in the Department of Education. HPA supports expanding funding for behavioral services **that includes psychologists and other appropriately trained behavioral professionals**. Expanded funding that includes psychologists and other qualified mental health professionals recognizes that these additional levels of education bring specialized training and qualifications that many licensed behavior analysts do not possess. Psychologists and other ABA trained mental health professionals have the advantage of being able to address co-occurring disorders, including anxiety, depression, and ADHD, that are frequently comorbid with autism (e.g., 40% or more meet diagnostic criteria for anxiety disorders, as many as 34% experience clinical depression, and about 30% display externalizing disorders). LBA's are not trained in mental health. Psychologists and other mental health providers can use their ABA training and their additional specialized knowledge and skills in designing behavioral interventions that include interventions for the other co-occurring disorders during the assessment, planning and monitoring phases of ABA service delivery. Given that there is a shortage of qualified professionals for the labor-intensive, multi-tier delivery model that is the hallmark of these types of ABA services for autism, qualified professionals and their assistants are needed (including appropriately trained mid-tier level practitioners such as postdocs, interns and unlicensed master's level practitioners) who are directly supervised by licensed professionals as they oversee the implementation of an ABA program by paraprofessionals (e.g., paraprofessionals, direct service workers and behavior technicians). We object to any language in any legislation that gives a monopoly to one credentialing agency (such as the proprietary terms of the Behavior Analyst Certification Board: BCBA's, BCBA-D, BCaBa, RBT's etc.) which serve to exclude other nationally recognized licenses and certifying agencies.

Tanya Gamby, Ph.D.
President

Hawaii Psychological Association

Date: January 28, 2018

To: Senators Dela Cruz, Galuteria, K. Kahele, Kidani, Nishihara, S. Chang, Inouye, Shimabukuro, Wakai

Hearing: Wednesday, January 31, 2018, 2:45 p.m., Conference Room 229

From: Linda Hufano, Ph.D.
122 Hoahana Place
Honolulu, Hawaii 96825

Re: SB2520

I am a behaviorally-trained psychologist with over a total of over 30 years of experience providing services as an employee of the DOE and CAMHD, in independent practice and under contracts with the DOE, Early Intervention Section, CAMHD and DD Division.

Although I fully support the DOE's request for additional funding to address the shortage of qualified persons to assist the department in providing ABA services, I am concerned that the funding request is limited to Licensed Behavior Analysts when there are other qualified professionals available to fill this need.

Testimony has been provided by the Hawaii Psychological Association (HPA) of which I am a member. I support this testimony as follows:

The Hawaii Psychological Association (HPA) recognizes that there is a shortage of qualified providers of behavioral services in the Department of Education. HPA supports expanding funding for behavioral services that includes psychologists and other appropriately trained behavioral professionals. Expanded funding that includes psychologists and other qualified mental health professionals recognizes that these additional levels of education bring specialized training and qualifications that many licensed behavior analysts do not possess. Psychologists and other ABA trained mental health professionals have the advantage of being able to address co-occurring disorders, including anxiety, depression, and ADHD, that are frequently comorbid with autism - with 40% or more meeting diagnostic criteria for anxiety disorders, as many as 34% experience in clinical depression, and about 30% displaying externalizing disorders. LBA's are not trained in mental health. ABA trained psychologists and other mental health providers can use their specialized knowledge and skills in designing behavioral interventions for students with autism and co-occurring disorders during the assessment, planning and monitoring phases of ABA service delivery. Given that there is a shortage of qualified professionals for the labor-intensive, multi-tier delivery model that is the hallmark of these types of ABA services for autism, qualified professional and their assistants are needed (including

appropriately trained mid-tier level practitioners: postdocs, interns, unlicensed master's level practitioners) who are directly supervised by licensed professionals as they oversee the implementation of an ABA program by paraprofessionals (e.g., parapros, direct service workers and behavior technicians). We object to any language in any legislation that gives a monopoly to one credentialing agency (such as the proprietary terms of the Behavior Analyst Certification Board: BCBA's, BCBA-D, BCaBa, RBT's etc.) which are all proprietary terms for the BACB and serve to exclude other nationally recognized licenses and certifying agencies.

As a taxpayer and stakeholder, I am also concerned about **the costs** associated with the mandate for the national certification of paraprofessionals, as well as **the delays in access to services** this mandate would result in. It is important to note:

- 1) In no other state, to the best of my knowledge, is the DOE or DD Division required to obtain national certification for its teachers, EA's paraprofessional/direct support workers.
- 2) There is an insufficient number of RBT's to meet the demands for services. The robust number of individuals who have received RBT certification in Hawaii does not reflect the number who are available to work as RBT's. [A majority of trained in my agency have taken jobs outside the field, are continuing their education, or no longer live in Hawaii.]
- 3) Hawaii's low rate of unemployment make it extremely difficult to recruit paraprofessional level staff, even when incentives have been added (e.g., sign-on bonuses, retention bonuses, scholarships).
- 4) Turnover of all paraprofessional level staff is high – currently contracted agencies report figures up to 40% annually. This translates into higher costs for recruitment, training, and supervision, as the training of new hires is continually needed to meet the demands and closer supervision is needed for people new to the field.
- 5) Training and certifying new RBT's or other nationally certified paraprofessional/direct support workers is highly likely to result in service delays. [Forty hours of training is typically required (which may be done on-line by the applicant over a 6-month period according to one of the certifying boards), in addition to successful completion of through an observation and/or written test. The above must then be verified by the board of the certifying agency.] Additionally, there is a cost to maintaining national certification of the RBT or other nationally certified paraprofessional/direct support worker. Each certification agency maintains its own requirements, which may involve documentation of on-going supervision by a licensed/board certified supervisor, an annual assessment by a licensed/board certified supervisor, and/or continuing education requirements/coursework approved by the board. All current agencies require the payment of fees to review the documentation and recertify the credential holder.

- 6) With respect to RBT's the board certifying BCBA's delimits who can assess, train and supervise the paraprofessional/direct support worker for certification/recertification. Some of the consequences of this limitation are an increase in cost to agencies such as the DOE who have licensed/credentialed staff who are trained in ABA provide the supervision in addition to helping create a shortage and monopoly.
- 7) If state agencies are permitted to utilize licensed/credentialed staff whose own recognized scope of practice overlaps with LBA's as exemptions in the current law allows, associated costs and service delays of implementing such an overreaching mandate would be avoidable.
- 8) It may be important to note that BCBA's are able to supervise paraprofessionals/direct support workers *that do not have RBT certification*, according to the certifying board (the BACB), provided that the BCBA is competent to work with the student/consumer and his/her presenting problem based on the BCBA's training and experience.

In conclusion, the DOE, DD Division and other state agencies are responsible for meeting the needs of different target populations and need to continue to be responsible for determining the minimum qualifications and training standards to meet the needs of their students/consumers. Current national certification programs for paraprofessionals/direct support workers vary in whether they focus on autism or not. Currently the DOE, DD Division, CAMHD, etc. currently have the flexibility to develop training focusing on the presenting needs of individuals they serve. Thereby allowing these agencies to training in behavioral strategies appropriate to the population (e.g., toddlers, students, adults, ASD, conduct disorder, substance abuse) they work with as well as the setting (e.g., school, home, community, sheltered workplace). I am hopeful that the HPA can continue to support the DOE and other state agencies to provide services and further develop the system needed to serve the children and families in need of ABA services.

Thank you for the opportunity to submit this testimony.

Date: January 28, 2018

To: Senators Dela Cruz, Galuteria, K. Kahele, Kidani, Nishihara, S. Chang, Inouye, Shimabukuro, Wakai

Hearing: Wednesday, January 31, 2018, 2:45 p.m., Conference Room 229

From: Richard J. Kravetz, Ph.D.
(808) 258-2598

Re: SB2520

I have worked in Hawaii as a psychologist for over thirty years. My work has included training and supervising paraprofessionals, practicum students, interns, postdoctoral residents and master's level clinicians in providing applied behavior analysis (ABA) through contracts with the Hawaii Department of Education, Early Intervention Section and Developmental Disabilities Division since 1997.

I fully support the DOE's request for additional funding to address the shortage of qualified persons to assist the department in providing ABA services, **provided the funding request includes all qualified professionals**, including ABA-trained licensed psychologists and individuals working under their supervision, other licensed or credentialed professionals whose own recognized scope of services overlaps with a licensed behavior analyst (LBA).

I would like to note that **no other state mandates that teachers or paraprofessional staff be certified as Registered Behavior Technicians (RBT's)**. This mandate denigrates the training and practice of licensed/credentialed teachers who have been trained in Applied Behavior Analysis (ABA) prior to obtaining their certification/licensure, and continue to receive training as employees of the DOE.¹ It also affords a for-profit association to collect fees for certifying individuals who are already being overseen by DOE minimum entry-level, training and supervision standards. This is an unwarranted expense that no other state, to my knowledge, requires for its teachers and paraprofessional staff. Moreover, the board certifying RBT's requires that the individual continue to be supervised by a BCBA in order to maintain his/her certification, making it impossible for the classroom teacher to exercise his/her responsibility in the classroom with regard to the student. In addition to the extra costs to the state for supervision are the costs required for the RBT to maintain certification as monies must be paid for the holder of the certificate to submit documents attesting to frequency of supervision and an assessment by the supervising BCBA that he/she continues to demonstrate proficiency at an acceptable level.

¹ Professor Mary Jo Noonan who is responsible for training Special Education Teachers in the Autism/Severe Program at the University of Hawaii and is also on the faculty of their Behavior Analyst Training Program informed a joint task force held last year that 75% of what a special education teacher does every day is ABA; and that 6 of 8 courses required for completion of both programs she teaches in overlap.

It bears noting that there is no existing research that supports the use of RBT's over similarly trained paraprofessionals. As a psychologist who has used ABA with different ages of individuals, with different disabilities and in different settings, it is my belief that the state agencies be allowed to develop the content area and target the skills that are needed for the paraprofessionals they employ/contract. Working with the 0 - 3 population is different than working with elementary age, high school or adult populations and requires a different knowledge base and skill set. Working in the school setting requires a different knowledge base and skill set than working in the community or work setting. Developing an ABA program for individuals with autism and a co-occurring anxiety disorder, clinical depression, or externalizing disorder (which are frequent comorbidities, occurring in 30-40% of children diagnosed with ASD) requires a professional who is trained in ABA and treating mental health issues, the latter of which LBA's are not licensed to treat.

Thank you for the opportunity to share my concerns. As a member of the HPA Task Force on ABA, I am unable to support this bill without an amendment that includes the funding of ABA-trained licensed psychologists and other ABA-trained licensed/credentialed professionals and their assistants. The DOE already has minimum-entry requirements, training and supervision standards for mid-tier and paraprofessional staff. Continuing education is important for all who provide services to students needing ABA services, and I would hope that our professional community can work together to address any and all workforce development and training needs that exist.

SB-2520

Submitted on: 1/30/2018 1:36:20 PM

Testimony for EDU on 1/31/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Anne Lau	Autism Behavior Consulting Group	Support	No

Comments:

SB-2520

Submitted on: 1/29/2018 10:31:22 PM

Testimony for EDU on 1/31/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Burdt		Support	No

Comments:

SB-2520

Submitted on: 1/30/2018 10:12:38 PM

Testimony for EDU on 1/31/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Jennifer Ninci		Support	No

Comments:

I strongly support SB 2520 in order to support the Hawaii Department of Education (DOE) in providing adequate Applied Behavior Analysis (ABA) supports to students warranting ABA assessment(s) and intervention(s). There are currently few Licensed Behavior Analysts (LBAs) working within the DOE. In addition, there is an inadequate number of licensed special education teachers in Hawaii. This has led to students having inadequate access to evidence-based behavioral assessments and interventions. Teachers and paraprofessionals need to be able to consult with professionals that have ABA within their scope of practice in order to support the individualized needs of some students, similarly to how teachers are commonly able to consult with occupational therapists, speech therapists, and physical therapists that have the respective credentials of those fields. These related service areas are expressly stated in the Individualized Education Programs (IEPs) of students.

LBAs hold a Board Certified Behavior Analyst (BCBA) credential. LBAs must adhere to the Professional and Ethical Compliance Code for Behavior Analysts, which pertains specifically to the field of ABA in order to protect consumers and uphold a rigorous quality of the practice. Some individuals that are held responsible to design ABA assessments and interventions in the DOE do not have a transparent applied behavior analysis background/training for consumers. They also may not clearly identify ABA as being in their scope of practice. As a result, appropriate services for students may be delayed, avoided, or replaced with other procedures based on the availability of alternative resources.

When it comes designing IEPs for students as mandated by federal law, supports must be decided based on their evidenced effectiveness, decided upon by a team that supports the student. Unreasonable delay or denial of appropriate ABA services to students who need those services to make meaningful progress is a denial of a Free and Appropriate Public Education (FAPE) and Least Restrictive Environment (LRE) protections. Additionally, there should be no hesitation to include ABA services explicitly in the IEPs of students that need it to be safe and access the curriculum. The DOE and Department of Health professionals should be able to work together to provide the recommended density of ABA services to those who need it to make meaningful progress. These funds would be of clear benefit to students, families, and teachers. Thank you for supporting SB 2520!

Jennifer Ninci, PhD, BCBA-D, LBA

Honolulu, Hawaii

January 31, 2018

HEARING BEFORE THE
SENATE COMMITTEE ON EDUCATION

TESTIMONY ON SB2520
RELATING TO BEHAVIOR ANALYSIS

Conference Room 229
2:45 pm

Aloha Chair Michelle N. Kidani, Vice Chair Kaiali'I Kahele, and Members of the Committee:

I am Kelsey Flynn; I am currently a Masters of Social Work candidate at the University of Hawaii at Manoa in the Myron B. Thompson School of Social Work concentrated in Mental Behavioral Health. Currently participating in a practicum placement at Makaha Elementary School where we suffer from high levels of trauma and mental behavioral health problems.

I strongly support SB2520, to fund behavior analysis services preformed by licensed behavior analysts for public school students according to Act 199. This will provide Makaha Elementary with the support needed to better serve their students by providing instructional and environmental modification to improve human behavior among the students. Offering improvement in behaviors of students by systematical interventions on the principles of learning theory, which will improve our student's significant social behaviors by allowing public school to have behavior analysts on campus.

I respectfully request your **strong support of SB 2520** which will positively affect mental behavioral health interventions for public school students in the state of Hawaii.

Kelsey E. Flynn

University of Hawaii at Manoa Myron B. Thompson School of Social Work Graduate Program

flynnk@hawaii.edu



THE SENATE
THE TWENTY-NINTH LEGISLATURE
REGULAR SESSION OF 2018

COMMITTEE ON EDUCATION
Senator Michelle N. Kidani, Chair
Senator Kaiali'i Kahele, Vice Chair

Wednesday, January 31, 2018
2:55 PM
Conference Room 229
State Capitol
415 South Beretania St.

SB 2520 Relating to Behavior Analysis—Testimony in support

Honorable Chair Kidani, Vice Chair Kahele, and members of the committee,

I support SB 2520 to appropriate funds to the department of education for behavior analysis services performed by licensed behavior analysts for public school students. Students with behavioral deficits need behavior analytic services, provided by licensed professionals with demonstrated competency, to access their educational curriculum and make meaningful gains. I thank the legislature for bringing this bill to hearing and respectfully ask the committee to support this bill.

Mahalo for your consideration,

Kristen Koba-Burd, M.S., BCBA, LBA

Maui

SB-2520

Submitted on: 1/30/2018 2:48:23 PM

Testimony for EDU on 1/31/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lesley A Slavin		Oppose	No

Comments:

Esteemed Committee Members,

As a licensed Psychologist and a member of The Hawaii Psychological Association (HPA) I recognize that there is a shortage of qualified providers of behavioral services in the Department of Education. I support expanding funding for behavioral services that include psychologists and other appropriately trained behavioral professionals, but I am opposed to expanded funding that is *exclusively* for the purpose of hiring Licensed Behavior Analysts (LBAs).

Expanded funding that includes psychologists and other qualified mental health professionals as well as LBAs would recognize that these additional levels of education bring specialized training and qualifications that many licensed behavior analysts do not possess. Psychologists and other ABA trained mental health professionals have the advantage of being able to address co-occurring disorders, including anxiety, depression, and ADHD, that are frequently comorbid with autism (e.g., 40% or more meet diagnostic criteria for anxiety disorders, as many as 34% experience clinical depression, and about 30% display externalizing disorders). LBA's are not extensively trained in mental health. ABA trained psychologists and other mental health providers can use their ABA training and their additional specialized knowledge and skills in designing behavioral interventions for students with autism and co-occurring disorders during the assessment, planning and monitoring phases of ABA service delivery. Given that there is a shortage of qualified professionals for the labor-intensive, multi-tier delivery model that is the hallmark of these types of ABA services for autism, qualified professionals and their assistants are needed (including appropriately trained mid-tier level practitioners such as postdocs, interns and unlicensed master's level practitioners) who are directly supervised by licensed professionals as they oversee the implementation of an ABA program by paraprofessionals (e.g., paraprofessionals, direct service workers and behavior technicians). I

object to any language in any legislation that gives a monopoly to one credentialing agency (such as the proprietary terms of the Behavior Analyst Certification Board: BCBA's, BCBA-D, BCaBa, RBT's etc.) which serve to exclude other nationally recognized licenses and certifying agencies.

Thank you for the opportunity to comment on this bill.

Sincerely,

Lesley A. Slavin, Ph.D.

317C Olomana Street, Kailua HI 96734 808393-9110

SB-2520

Submitted on: 1/30/2018 2:44:25 PM

Testimony for EDU on 1/31/2018 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Tanya Gamby		Oppose	No

Comments:

I oppose SB2520 as it does not include the allocation of funds for other licensed and qualified professionals. Thus, I agree with HPA's official's position that we would support the passage of SB2520 if it was amended to include expanding funding for behavioral services **that includes psychologists and other appropriately trained behavioral professionals**. Please see HPA's comments below:

The Hawaii Psychological Association (HPA) recognizes that there is a shortage of qualified providers of behavioral services in the Department of Education. HPA supports expanding funding for behavioral services **that includes psychologists and other appropriately trained behavioral professionals**. Expanded funding that includes psychologists and other qualified mental health professionals recognizes that these additional levels of education bring specialized training and qualifications that many licensed behavior analysts do not possess. Psychologists and other ABA trained mental health professionals have the advantage of being able to address co-occurring disorders, including anxiety, depression, and ADHD, that are frequently comorbid with autism (e.g., 40% or more meet diagnostic criteria for anxiety disorders, as many as 34% experience clinical depression, and about 30% display externalizing disorders). LBA's are not trained in mental health. Psychologists and other mental health providers can use their ABA training and their additional specialized knowledge and skills in designing behavioral interventions that include interventions for the other co-occurring disorders during the assessment, planning and monitoring phases of ABA service delivery. Given that there is a shortage of qualified professionals for the labor-intensive, multi-tier delivery model that is the hallmark of these types of ABA services for autism, qualified professionals and their assistants are needed (including appropriately trained mid-tier level practitioners such as postdocs, interns and unlicensed master's level practitioners) who are directly supervised by licensed professionals as they oversee the implementation of an ABA program by paraprofessionals (e.g., paraprofessionals, direct service workers and behavior technicians). We object to any language in any legislation that gives a monopoly to one credentialing agency (such as the proprietary terms of the Behavior Analyst Certification Board: BCBA's, BCBA-D, BCaBa, RBT's etc.) which serve to exclude other nationally recognized licenses and certifying agencies.

Thank you for allowing me to provide testimony.

Tanya Gamby, Ph.D.

Licensed Psychologist