
A BILL FOR AN ACT

RELATING TO BEHAVIOR ANALYSIS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that behavior analysis
2 means the design, implementation, and evaluation of
3 instructional and environmental modifications to produce
4 socially significant improvements in human behavior. The
5 practice of behavior analysis includes the empirical
6 identification of functional relations between behavior and
7 environmental factors, known as functional assessment and
8 analysis, as well as the use of contextual factors, motivating
9 operations, antecedent stimuli, positive reinforcement and other
10 consequences to help people develop new behaviors, increase or
11 decrease existing behaviors, and emit behaviors under specific
12 environmental conditions.

13 The legislature further finds that Act 199, Session Laws of
14 Hawaii 2015, established licensing requirements for behavior
15 analysts. Licensing of behavior analysis services was made
16 concurrent with mandated insurance coverage for the diagnosis
17 and treatment of autism spectrum disorders.



1 The legislature additionally finds that many students
2 enrolled in department of education schools would benefit from
3 the expansion of behavior analysis services throughout the
4 State's public school system, including students with autism
5 spectrum disorders.

6 Accordingly, the purpose of this Act is to fund behavior
7 analysis services for public and public charter school students.

8 SECTION 2. There is appropriated out of the general
9 revenues of the State of Hawaii the sum of \$ or so much
10 thereof as may be necessary for fiscal year 2020-2021 for the
11 department of education to provide public school and public
12 charter school students with behavior analysis services
13 performed by individuals permitted to perform such services
14 pursuant to chapter 465D, Hawaii Revised Statutes.

15 The sum appropriated shall be expended by the department of
16 education for the purposes of this Act.

17 SECTION 3. The department of education shall seek any
18 necessary approvals from the Centers for Medicare and Medicaid
19 Services to amend the state medicaid plan to provide
20 reimbursements for applied behavior analysis services to



1 medicaid-eligible students diagnosed with an autism spectrum
2 disorder.

3 SECTION 4. This Act shall take effect on July 1, 2051.



Report Title:

DOE; Behavior Analysis; Appropriation

Description:

Appropriates funds to the department of education to provide public school and public charter school students with behavior analysis services. Requires the department to seek any necessary approvals from the Centers for Medicare and Medicaid Services to amend the state Medicaid plan to include applied behavior analysis services for eligible students who have been diagnosed with an autism spectrum disorder. Effective 7/1/2051.
(HD1)

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