

JAN 17 2020

A BILL FOR AN ACT

RELATING TO BEHAVIOR ANALYSTS.

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

1 SECTION 1. The legislature finds that Act 199, Session
2 Laws of Hawaii 2015, codified as chapter 465D, Hawaii Revised
3 Statutes (Act 199), establishes the licensing standards of
4 behavior analysts, which is set to repeal on June 30, 2021. Act
5 199 was established to help meet the critical demands of
6 ensuring that persons requiring diagnosis and treatment for
7 autism receive the care they need. Since the establishment of
8 Act 199, over three hundred licenses for behavior analysts and
9 over one thousand licenses for registered behavioral technicians
10 have been issued in the State. As a result, several thousand
11 individuals have received access to applied behavior analysis
12 care and services since the implementation of Act 199 and Act
13 235, Session Laws of Hawaii 2015, which provides health
14 insurance coverage for the diagnosis and treatment of autism.

15 The legislature therefore finds that the regulation of the
16 practice of behavior analysts should continue to be subject to
17 regulation and control in order to protect the public's health,



1 safety, and welfare. Additionally, while the provision of
2 quality services by currently licensed behavior analysts has
3 been a significant step in meeting the needs for treatment of
4 those with autism, the total number of licensees is still
5 insufficient to meet present demands.

6 Accordingly, the purpose of this Act is to make permanent
7 the regulation of behavior analysts under chapter 465D, Hawaii
8 Revised Statutes, which will ensure the continued treatment of
9 individuals with autism.

10 SECTION 2. Section 26H-4, Hawaii Revised Statutes, is
11 amended to read as follows:

12 **"§26H-4 Repeal dates for newly enacted professional and**
13 **vocational regulatory programs.** (a) Any professional or
14 vocational regulatory program enacted after January 1, 1994, and
15 listed in this section shall be repealed as specified in this
16 section. The auditor shall perform an evaluation of the
17 program, pursuant to section 26H-5, prior to its repeal date.

18 ~~[(b) Chapter 465D (behavior analysts) shall be repealed on~~
19 ~~June 30, 2021.~~

20 ~~(e)]~~ (b) Chapter 466L (appraisal management companies)
21 shall be repealed on June 30, 2023.



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1 [~~(d)~~] (c) Chapter 457J (midwives) shall be repealed on
2 June 30, 2025."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect on July 1, 2020.

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S.B. NO. 2281

Report Title:

Behavior Analysts; Regulation; Sunset Repeal

Description:

Makes permanent the regulation of behavior analysts.

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