

STAND. COM. REP. NO.

1544

Honolulu, Hawaii

MAR 21

, 2019

RE: S.B. No. 341
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committees on Lower & Higher Education and Intrastate
Commerce, to which was referred S.B. No. 341, S.D. 2, entitled:

"A BILL FOR AN ACT RELATED TO THE PRACTICE OF BEHAVIOR
ANALYSIS,"

beg leave to report as follows:

The purpose of this measure is to:

- (1) Make an exemption from the behavior analyst licensing requirements permanent for certain teachers working in direct collaboration with a licensed behavior analyst or licensed psychologist;
- (2) Exempt licensed special education teachers and individuals in approved and accredited special education training programs who are working toward licensure as special education teachers whose scope of practice and training includes applied behavior analysis; and
- (3) Remove the exemption from licensure for a direct support worker.



The Department of Education and Special Education Advisory Council supported this measure. Hawaii State Teachers Association opposed this measure. The University of Hawaii System, Hawai'i Psychological Association, Hawai'i Association for Behavior Analysis, and a few concerned individuals offered comments on this measure.

Your Committees have amended this measure by:

- (1) Exempting licensed general or special education teachers and individuals, who implement but do not design or monitor applied behavior analysis plans in direct collaboration with a licensed behavior analyst or licensed psychologist, from behavior analyst licensing requirements;
- (2) Continuing to exempt direct support workers, who directly implement an applied behavior analysis program under the supervision of a licensed behavior analyst or licensed psychologist, from behavior analyst licensing requirements; and
- (3) Deleting the proposed exemption for licensed special education teachers and individuals in approved and accredited special education training programs who are working toward licensure as special education teachers whose scope of practice and training includes applied behavior analysis.

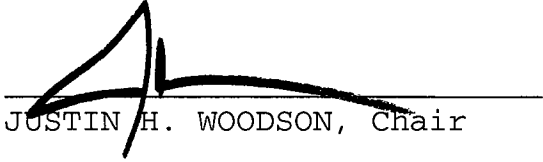
As affirmed by the records of votes of the members of your Committees on Lower & Higher Education and Intrastate Commerce that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 341, S.D. 2, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 341, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.



Respectfully submitted on
behalf of the members of the
Committees on Lower & Higher
Education and Intrastate
Commerce,



TAKASHI OHNO, Chair



JUSTIN H. WOODSON, Chair



State of Hawaii
House of Representatives
The THIRTIETH Legislature

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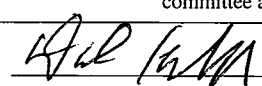
Record of Votes of the Committee on Lower & Higher Education

Bill/Resolution No.: SB 341 SD2	Committee Referral: LHE/IAC, CPC	Date: 3/14/19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
LHE Members	Ayes	Ayes (WR)	Nays	Excused
1. WOODSON, Justin H. (C)	✓			
2. HASHEM, Mark J. (VC)	✓			
3. PERRUSO, Amy A. (VC)	✓			
4. DeCOITE, Lynn	✓			
5. JOHANSON, Aaron Ling				✓
6. KOBAYASHI, Dale T.	✓			
7. OHNO, Takashi	✓			
8. QUINLAN, Sean				✓
9. TARNAS, David A.	✓			
10. TOKIOKA, James Kunane	✓			
11. OKIMOTO, Val		✓		
TOTAL (11)	8	1		2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 100px;">committee acronym(s)</small>				
Vice Chair's or designee's signature: <u>Mark J. Hashem</u>				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				

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Record of Votes of the Committee on Intrastate Commerce

Bill/Resolution No.: SB 341 SD 2	Committee Referral: LHE/IAC, CPC	Date: 3-14-19		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
IAC Members	Ayes	Ayes (WR)	Nays	Excused
1. OHNO, Takashi (C)	✓			
2. KOBAYASHI, Dale T. (VC)	✓			
3. GATES, Cedric Asuega				✓
4. KONG, Sam Satoru	✓			
5. NISHIMOTO, Scott Y.	✓			
6. TAKAYAMA, Gregg	✓			
7. McDERMOTT, Bob				✓
TOTAL (7)	5			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				