

STAND. COM. REP. NO. 1525

Honolulu, Hawaii

APR 06 2021

RE: H.B. No. 471  
H.D. 1  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 471, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO BEHAVIOR ANALYSTS,"

begs leave to report as follows:

The purpose and intent of this measure is to make permanent the regulation of behavior analysts.

Your Committee received testimony in support of this measure from the Department of Commerce and Consumer Affairs, Department of Education, Department of Health, Hawaii State Teachers Association, Council of Autism Service Providers, Hawai'i Association for Behavior Analysis, Hawaii Disability Rights Center, BAYADA Behavioral Analysis, Together For Our Keiki, and twenty-one individuals.

Your Committee finds that, since Hawaii enacted its regulatory and licensing structure for the practice of applied behavior analysis, nearly five hundred behavior analysts have been licensed and over one thousand five hundred registered behavior technicians have been credentialed under their supervision in the State. As a result, several thousand keiki and other individuals have received access to applied behavior analysis services. Your Committee further notes the Auditor's Sunset Evaluation Report, dated December 2020, which supports the continued regulation of



the applied behavior analysis profession. This measure will continue the regulation of the practice of behavior analysis to protect consumers from unqualified practitioners and unprofessional conduct and will ensure high quality services for those who require them.

Your Committee notes the concerns raised in testimony that this measure's effective date may create an unintentional lapse in regulation, as the regulatory program for behavior analysts is currently scheduled to repeal on June 30, 2021, under existing law. Therefore, an amendment to this measure is necessary to address this concern.

Your Committee has amended this measure by inserting an effective date of June 29, 2021.

As affirmed by the record of votes of the members of your Committee on Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 471, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 471, H.D. 1, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce and  
Consumer Protection,

  
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ROSALYN H. BAKER, Chair



