

Honolulu, Hawaii

APR 08 , 2022

RE: S.B. No. 2281  
S.D. 2  
H.D. 2

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirty-First State Legislature  
Regular Session of 2022  
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2281, S.D. 2, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO PSYCHOLOGY,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Establish interim licensure requirements for school psychologists and require all school psychologists to obtain an interim license from the Board of Psychology by January 1, 2023;
- (2) Amend the composition of the Board of Psychology to include two school psychologists; and
- (3) Require the Board of Psychology and Department of Education to develop a permanent licensing scheme for school psychologists and submit a report to the Legislature prior to the Regular Session of 2023.

Your Committee received testimony in support of this measure from the Disability and Communication Access Board; Hawaii State Teachers Association; Hui for Excellence in Education; Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO;



Hawai'i Association of School Psychologists; Hawai'i Psychological Association; and fifteen individuals. Your Committee received testimony in opposition to this measure from the Board of Psychology and one individual. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Department of Education.

Your Committee finds that school psychologists provide effective services to help children and youth with their social-emotional learning needs and can work with parents, educators, and other professionals to create supportive learning and social environments for all children.

Your Committee notes that, in general, the licensure of psychologists in the State has had a complex and complicated history. Your Committee also notes that the licensure of a particular specialty is not typical. Your Committee further notes that, of the forty-nine states that regulate school psychologists, forty-one states conduct the regulation through an educational body or agency, rather than an agency comparable to the Department of Commerce and Consumer Affairs. As such, further consideration must be given to determine whether school psychologists should be regulated and, if so, the appropriate form of any such regulation.

Your Committee has amended this measure by:

- (1) Deleting the provisions that:
  - (A) Established a licensure framework for school psychologists;
  - (B) Amended the composition of the Board of Psychology; and
  - (C) Required the Board of Psychology and Department of Education to develop a permanent licensing scheme for school psychologists;
- (2) Requiring the Auditor to conduct an analysis on:
  - (A) The probable effects of the H.D. 1 version of this measure and assess whether the enactment of the H.D. 1 version would be consistent with the



policies stated in the Hawaii Regulatory Licensing Reform Act;

- (B) The issues entailed in the definition of school psychologist, description of services delivered by a school psychologist, and mandatory advisement to the Board of Psychology from a private organization; and
  - (C) Any alternative forms of regulation, as appropriate;
- (3) Requiring the Auditor to submit a report of the analysis and any recommendations to the Legislature prior to the 2024 Regular Session; and
  - (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2281, S.D. 2, H.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2281, S.D. 2, H.D. 2.

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

  
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AARON LING JOHANSON, Chair



