

STAND. COM. REP. NO.

657

Honolulu, Hawaii

MAR 04 2021

RE: S.B. No. 805
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 S.B. No. 805, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Make the exemption from the behavior analyst licensing requirements permanent for certain teachers working in collaboration with a licensed behavior analyst or licensed psychologist; and
- (2) Clarify exemptions from licensure as a behavioral analyst for general education teachers, direct support workers, special education teachers, and teacher trainees working in collaboration with or under the supervision of licensed professionals.

Your Committee received testimony in support of this measure from the Department of Education, Hawaii State Teachers Association, Hawai'i Psychological Association, Special Education Advisory Council, Together for Our Keiki, Hawaii Disability Rights Center, and twenty-four individuals. Your Committee received testimony in opposition to this measure from one individual.



Your Committee finds that special education teachers sometimes need assistance with assessing their students' learning, which may include consultation with outside experts such as licensed behavior analysts or psychologists. This measure will help the Department of Education to collect Medicaid reimbursements for all applied behavior analysis services rendered during the school day and ensure vulnerable keiki are given access to the care and education they deserve.

Your Committee has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity and consistency.

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 S.B. No. 805, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 805, S.D. 2.

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



ROSALYN H. BAKER, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Commerce and Consumer Protection
CPN

Bill / Resolution No.:*	Committee Referral:	Date:		
SB805 SD1	EDU, CPN	02/24/2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
CHANG, Stanley (VC)	/			
MISALUCHA, Bennette E.	/			
NISHIHARA, Clarence K.	/			
RIVIERE, Gil	/			
SAN BUENAVENTURA, Joy A.	/			
FEVELLA, Kurt	/			
TOTAL	7	-	-	-
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"><i>Clarence K. Nishihara</i></div>				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes