

Testimony of the Hawaii Board of Psychology

**Before the
Senate Committee on Commerce and Consumer Protection
Tuesday, February 22, 2022
10:00 a.m.
Via Videoconference**

**On the following measure:
S.B. 2281, S.D. 1, RELATING TO PSYCHOLOGY**

Chair Baker and Members of the Committee:

My name is Christopher Fernandez, and I am the Executive Officer of the Hawaii Board of Psychology (Board). The Board's Legislative Committee reviewed this bill and offers comments.

The purposes of this bill are to: (1) establish licensure requirements for school psychologists to be administered by the Board of Psychology; (2) require all school psychologists to be licensed by July 1, 2025; and (3) increase the composition of the Board of Psychology to include two school psychologists.

The Board will review this bill at its next publicly noticed meeting scheduled for today at 12:00p.m. In the meantime, the Legislative Committee notes that in the past, the Board has respectfully opposed measures similar to this. While the Board appreciates the bill's intent to regulate the practice of school psychology in the State, it questions whether the Board is the proper government entity to license and regulate school psychologists, as proposed by this bill.

The Legislative Committee firmly believes that a sunrise analysis shall be performed prior to the enactment of this bill pursuant to Hawaii Revised Statutes section 26H-6. This bill proposes licensure for specialist-level school psychologists, an unregulated profession in this State.

While it is true that 49 states regulate school psychologists, forty-one (41) states do so within their department of education (or equivalent department type); two (2) states within their departments of health; and four (4) states credential, certify, or license school psychologists by their boards of psychology. A sunrise analysis would provide the legislature with important comparative information about why the vast majority of states regulate this profession through their departments of education.

The Legislative Committee respectfully urges the Committee to consider an approach that is aligned with the majority of other states, as set forth in S.B. 818, S.D. 2, which the Committee on Commerce, Consumer Protection, and Health heard and passed out of Committee during the 2019 legislative session. The purposes of S.B. 818, S.D. 2, are as follows: (1) establish licensure requirements for school psychologists to be administered by the Hawaii Teacher Standards Board (HTSB); and (2) specify that school psychologists who are employed by an educational institution and who practice only within a school setting shall be exempt from licensure under HRS chapter 465.

The Legislative Committee also notes that it is unclear whether this bill meets the criteria for Medicaid reimbursement as it seems to propose. A sunrise analysis would be helpful in providing a comprehensive review of the current federal requirements for Medicaid reimbursement and how many states are receiving reimbursements in this manner. A sunrise analysis would also be helpful in evaluating the impact the law would have on the Department of Education (DOE), on school psychologists currently practicing in the State, and on the availability of training that would be needed to meet the requirements for licensure.

As the DOE notes in its testimony in the prior committee, although the bill allows three years to meet licensure requirements, affected employees that do not have a license may not meet the proposed requirements by the effective date and no higher education institutions in the state offer a graduate program to meet the qualifications in the bill. A sunrise analysis will provide the legislature with important information about the impact the regulation will have on the DOE's existing employees.

Regarding the Board composition, the Legislative Committee does not believe that the addition of two school psychologists who lack the equivalent level of training in clinical and counseling psychology will allow the Board to adequately evaluate the credentials of applicants for licensure at the doctoral level in clinical and counseling psychology. Even with the proposed additions, the Board does not feel it would be prepared to evaluate the specialized knowledge of a school psychologist. For example, the Board is not familiar with the Praxis School psychologist exam and its content, or the requirements of a "nationally certified school psychologist". The majority of Board

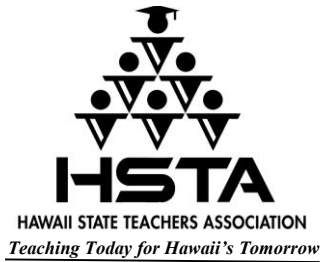
members are not school psychologists, nor do they have the relative expertise of school systems and professional practice in a school setting that a HTSB board member would likely have. Thus, the evaluation of candidates for this license type would be better administered by the HTSB.

The Legislative Committee would also like to call to attention language included on page 10, lines 6 to 9, which appears to pose a conflict of interest, as it states, “The board shall receive advice and review proposals from the Hawaii Association of School Psychologists regarding issues relating to school psychologists and the practice of school psychologists.” The Board should be the sole authority on the licensure, regulation, and public protection of psychologists and may consider the advice of public, including professional associations promoting the profession.

The Legislative Committee is concerned that this bill will adversely affect the scope of practice of psychologists with training in school psychology, as currently set forth in HRS section 465-1. For example, page 9, lines 5 to 15, provides a description of services that psychologists who are currently licensed under HRS chapter 465 are trained to do. The Legislative Committee questions why doctoral-level clinical psychologists should be excluded from this practice.

Both the Board and the Department of Commerce and Consumer Affairs’ Professional and Vocational Licensing Division (PVL) would not be prepared to license school psychologists by July 1, 2025, as proposed by this bill. If the Committee is inclined to pass this bill, the Board and PVL respectfully request amending the date to July 1, 2027, to provide time to: (1) update PVL’s database; (2) create a new method of licensure; (3) create new application forms; (4) promulgate administrative rules, as required by this bill; and (5) find two school psychologists who are qualified to serve on the Board.

Thank you for the opportunity to testify on this bill. The Legislative Committee respectfully requests that this measure be held in Committee.



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Logan Okita.
Vice President
Lisa Morrison
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TESTIMONY BEFORE THE SENATE COMMITTEE ON COMMERCE AND
CONSUMER PROTECTION

RE: SB 2281, SD1 - RELATING TO PSYCHOLOGY

TUESDAY, FEBRUARY 22, 2022

OSA TUI, JR., PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair Baker, and Members of the Committee:

The Hawaii State Teachers Association **supports SB 2281, SD1**, relating to psychology. This bill establishes licensure requirements for school psychologists to be administered by the Board of Psychology. Requires all school psychologists to be licensed by July 1, 2025. Increases the composition of the Board of Psychology to include two school psychologists.

Licensure is important for all professionals that are entrusted to care for students, especially those with special needs. HRS 465 protects the professional integrity of the term “psychology” by ensuring that non-licensed individuals cannot practice psychology. This public protection ensures that specialized training and expertise is required to practice psychology. **Currently, School Psychologists are ‘exempt’ from having to have licensure to practice in the educational setting (HRS465) and have had no credentialing in the state of Hawaii. Hawaii is the only state in the nation that allows this.** This exemption has allowed individuals who do not have graduate training in school psychology and who do not meet the nationally accepted certification standard to practice “psychology” within the educational setting. **We are asking for the legislators support to establish state licensing in Hawaii, in that it nullifies that exemption and ensures that students receive services from highly qualified and licensed professionals.**

Only certificated or licensed professionals are billable under Medicaid, so the current exemption does not allow for the Department of Education to bill for any services or evaluations conducted by school psychologists at this time. Licensing of school psychologists would be another avenue for the DOE to generate funds under Medicaid.

The Hawaii State Teachers Association asks that you support this bill and the state licensing of school psychologists to ensure that all of our keiki in Hawaii are afforded the same protection of a licensed and credentialed professional working within their scope of practice.

SB-2281-SD-1

Submitted on: 2/19/2022 9:42:16 AM

Testimony for CPN on 2/22/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kenichi Yabusaki	Individual	Support	No

Comments:

Aloha Chair Baker, Vice-Chair Chang, and Members of the CPN Committee:

I strongly support SB 2281 which requires all School Psychologists to be licensed by 2025. Our children, who are the most vulnerable population need competent psychologists that have been properly trained not necessarily by accredited institutions but have passed the National Psychologists licensing examination thus, qualifying them to take the State Psychology Licensing Exam. This will help ensure the children in our schools whether public or private can provide the best care when they are in need of their services. Thank you

Respectfully submitted,

Kenichi K. Yabusaki, Ph.D.

SB-2281-SD-1

Submitted on: 2/20/2022 6:49:37 PM

Testimony for CPN on 2/22/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Carmen Needham	Individual	Support	No

Comments:

Dear Hawai'i Legislators,

Thank you for your contributions to the great state of Hawai'i. Your service to your state is immeasurable and we are thankful that you have taken on this very important role.

My name is María del Carmen Needham and I am school psychology specialist in Texas. In Texas, school psychologists are licensed under the Texas State Board of Examiners of Psychologists (TSBEP), an entity under the Behavioral Health Executive Council. TSBEP ensures that we maintain the proper continuing education credits, and ensures that everyone who is licensed as a school psychologist has the proper training to practice in the schools.

School Psychologists have a specialized skill set that cannot be found in licensed psychologists, social workers, behavioral analysts, nor school counselors. Our training programs have to follow the guidelines from the National Association of School Psychologists. We are trained in consultation and collaboration, where we collaborate and consult with educators to ensure that children are getting appropriate academic, social, behavioral, and emotional supports in the general setting. We are also trained in assessment using standardized assessments to evaluate our students for possible learning, emotional, or developmental disabilities, and training in counseling so we can support our most vulnerable students in the schools. We are also trained in collecting multiple sources of information as a foundation for decision-making and consider ecological factors as a context for assessment and intervention in general and special education settings.

In Texas, we have many military bases. The families of the students we serve are familiar with us and when they are to deploy to Hawai'i, there is a sense of fear because Hawai'i does not have a psychological board overseeing the School Psychologists. Our families are concerned over the quality of support they will receive as not having properly licensed School Psychologists sounds scary for them.

Moreover, the practitioners in Texas sometimes are part of a military family and they will need to deploy and seek employment in Hawai'i. Not having the proper credentialing creates a barrier for practitioners as they do not know who to reach out to get licensed. Furthermore, they run the risk of those years not counting toward their retirement. If School Psychologists would be licensed under the psychological board, there will be a higher likelihood that the School Psychologist will not have a gap in their years of service.

Please consider passing this bill to strengthen and solidify the presence of properly trained and licensed school psychologists in Hawai'i. Your support will have a positive impact on the children and the school psychologist profession as a whole.

Testimony Support for SB2281
February 20, 2022

Aloha,

School Psychologists work to provide effective services to help children and youth succeed academically, socially, behaviorally, and emotionally by providing direct educational and mental health services for children and youth. Additionally, we work with parents, educators, and other professionals to create supportive learning and social environments for all children. As a practicing School Psychologist and an executive board member (Past President) of the Hawai`i Association of School Psychologists (HASP), I am writing in support of licensure of School Psychologists in Hawai`i. Currently, Hawai`i is the *only* state in the country that does not have a credentialing process in place for School Psychologists, despite two sunset evaluations conducted regarding Psychologists that clarified all Psychologists should be licensed (Report No. 81-6, 1981; Report No. 87-22, 1987). There are a couple reasons this is extremely problematic. First and foremost, having no credentialing requirements may potentially result in unqualified individuals working in School Psychologist positions, which could possibly cause harm to our keiki. Because the state of Hawaii currently does not offer a single School Psychology graduate program, at this time all School Psychologists are either being recruited from the mainland, coming in with varying qualifications, or individuals within the state of Hawaii who have earned a degree in a similar field, such as counseling, are sometimes hired into School Psychologist positions, even though they have not received appropriate training to be working in these positions. It is clear that the state of Hawaii has a severe shortage of School Psychologists, and because of this, it is not surprising that unqualified individuals may be fulfilling School Psychologist roles; however, it is imperative to understand that this causes more harm than benefit to our keiki.

The reason this is problematic is that School Psychology programs are unique from other mental health programs in the focus on interpretation of assessment results and linking those results to effective, research-based intervention. Although any mental health professional can be trained to administer assessments, the interpretation can be very problematic for those who are not trained, and this can produce damaging consequences for students. For instance, I was recently made aware of a past case in our state where an unqualified individual working in the role of a School Psychologist had misinterpreted cognitive (IQ) scores of a student who spoke English as a second language when the cognitive test had been administered in English, a language in which this student was not fluent. The student scored within the extremely low range when tested in English, resulting in an educational classification of Mental Retardation at the time (now called Intellectual Disability), and the student consequently began to receive intensive special education services to meet what were determined to be his needs, based on the evaluation results. Unfortunately, this was very inaccurate, as the student apparently had average intellectual abilities when later tested in his dominant language. Therefore, it appears this student received inaccurate programming for years until the error was realized, and by that time, he had missed years of receiving appropriate instruction/curriculum in school. This is just one example to highlight how an individual unqualified to practice as a School Psychologist may not be able to make accurate decisions to assist our keiki, as this professional had not received the appropriate

and specialized training necessary to do so. It is critical to have qualified professionals working in our field.

Second, the state's failure to require licensure of its School Psychologists means that, by law, the state is unable to seek warranted reimbursements from the federal Medicaid program for the services provided by School Psychologists in an educational setting. If we had a licensing process in place, we would be able to bill for our services, and this money would be used to help Hawaii's keiki.

It would make most sense for School Psychologists to be licensed and registered through the Board of Psychology to ensure delivery of quality service to students and the community, as it is a consumer protection agency. This should be applied to School Psychologists working in public schools, Early Intervention, and at the college level. It would be the most seamless transition because School Psychology has already become a part of the Board of Psychology. It is important to consider that all Psychologists are indeed Psychologists, regardless of the setting we work in (i.e., school, private practice, hospital). Why should School Psychologists be the only area of Psychology exempt from having to follow professional standards in our practice? Licensure is a requirement for all other Psychologists. As School Psychologists, we work with children with special needs, as we have specialized training to do this. We must have credentialing standards in place to be held to higher standards and to protect our children.

In summary, credentialing is important for all professionals, but it is critical for professionals who work with keiki with special needs. Our keiki need to be protected through implementation of a credentialing process that would keep Mahalo for your consideration.

Respectfully submitted,

A handwritten signature in cursive script that reads "Amanda Garrett".

Amanda Garrett, Psy.D.

Nationally Certified School Psychologist

Past President of the Hawaii Association of School Psychologists (HASP)

SB-2281-SD-1

Submitted on: 2/20/2022 9:52:40 PM

Testimony for CPN on 2/22/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Keri Anacker	Individual	Support	No

Comments:

SB2281

Aloha,

Hawai'i is the only state in the country without a credential for School Psychologists despite two sunset evaluations that clarified all Psychologists should be licensed. Because Hawai'i does not have a license for School Psychologists, individuals who do not have training in school psychology or do not meet the national certification standards can provide school psychological services in schools. It is of the utmost importance that we finally match the other states and require School Psychologists in Hawai'i to have a proper licensing. Raising the standards of practice and credentialing for all School Psychologists working in the state will increase appropriate service delivery to students. I was trained in New Jersey, so I am a New Jersey Certified School Psychologist. I also have my National Certification; however, I would love to be able to say I am a proud Hawai'i Certified School Psychologist. If my credentials were to be questioned in a meeting, it would provide me comfort and support knowing that my state backs my profession. Additionally, a lot of states have their School Psychologists licensed through their state Department of Education; however, several other states do have their School Psychologists licensed under their Board of Psych. Further, there is a shortage of School Psychologists in the state at present, which means unqualified persons are stepping into "School Psychologist" roles without proper credentialing creating undue liabilities for the state and school system. Lastly, properly credentialing School Psychologists in Hawai'i allows the DOE to seek Medicaid reimbursements for eligible services. That money could perhaps circle back to continue to help the most vulnerable students-those with disabilities, who absolutely deserve the services of highly qualified experts in schools, like School Psychologists.

Respectfully,

Keri Anacker

Nationally Certified School Psychologist

New Jersey Certified School Psychologist

(& hopefully one day a Hawai'i Certified School Psychologist)



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/22/2022

Time: 10:00 AM

Location: CR 229 & Videoconference

Committee: Senate Commerce and
Consumer Protection

Department: Education

Person Testifying: Keith T. Hayashi, Interim Superintendent of Education

Title of Bill: SB 2281, SD1 RELATING TO PSYCHOLOGY.

Purpose of Bill: Establishes licensure requirements for school psychologists to be administered by the Board of Psychology. Requires all school psychologists to be licensed by July 1, 2025. Increases the composition of the Board of Psychology to include two school psychologists. Effective 1/1/2050. (SD1)

Department's Position:

The Hawaii State Department of Education (Department) respectfully provides comments on SB 2281, SD 1.

The Department supports the licensing of school psychologists as it enhances the quality of services provided to our public school students, enables our ability to seek Medicaid reimbursements for eligible services, and aligns Hawaii with licensure requirements established by the other states.

Although SB 2281, SD 1 allows three years to meet licensure requirements, we are concerned that employees that do not have a license may not meet the proposed requirements by July 1, 2025. Currently, there are no higher education institutions in the State of Hawaii that offer a school psychology graduate program to meet the necessary qualifications outlined in this bill. These employees may need additional time and resources to enroll in and complete an accredited online school psychology

graduate program while also maintaining full-time employment with the Department.

Thank you for the opportunity to submit testimony on SB 2281, SD 1.



Committee on Commerce and Consumer Protection
Senator Roslyn Baker, Chair
Senator Stanley Chang, Vice Chair

February 22, 2022

Dear Chair Baker, Vice Chair Chang, and Members of the Committee,

We support SB 2281, which establishes licensure requirements for school psychologists to be administered by the Board of Psychology.

We need to join the other 49 states and create a licensing credential for school psychologists. We agree with the intent of SB 2281. Properly licensed school psychologists provide effective services to help children and youth with their social-emotional learning (SEL) needs and can work with parents, educators, and other professionals to create supportive learning and social environments for all children.

Hui for Excellence in Education, or “HE’E,” promotes a child-centered and strength-based public education system in which families, communities and schools are valued and empowered to help every student succeed. HE’E works to bring diverse stakeholders together to harness collective energy, share resources, and identify opportunities for progressive action in education.

Thank you for the opportunity to testify. Our support represents a 75% consensus or more of our voting membership.

Sincerely,

Cheri Nakamura
HE’E Coalition Director



Academy 21	Kamehameha Schools
American Civil Liberties Union	Kanu Hawai'i
Alliance for Place Based Learning	Kaua'i Ho'okele Council
*Castle Complex Community Council	Keiki to Career Kaua'i
Coalition for Children with Special Needs	Kupu A'e
Education Institute of Hawai'i	*Leaders for the Next Generation
*Faith Action for Community Equity	Learning First
Fresh Leadership LLC	McREL's Pacific Center for Changing the Odds
Girl Scouts Hawaii	Native Hawaiian Education Council
Harold K.L. Castle Foundation	Our Public School
*HawaiiKidsCAN	*Pacific Resources for Education and Learning
*Hawai'i Afterschool Alliance	*Parents and Children Together
*Hawai'i Appleseed Center for Law and Economic Justice	*Parents for Public Schools Hawai'i
*Hawai'i Association of School Psychologists	Special Education Provider Alliance
Hawai'i Athletic League of Scholars	*Teach for America
*Hawai'i Children's Action Network	The Learning Coalition
Hawai'i Nutrition and Physical Activity Coalition	US PACOM
Hawai'i Scholars for Education and Social Justice	University of Hawai'i College of Education
* Hawai'i State PTSA	<i>Voting Members (*) Voting member organizations vote on action items while individual and non-voting participants may collaborate on all efforts within the coalition.</i>
Hawai'i State Student Council	
Hawai'i State Teachers Association	
Hawai'i P-20	
Hawai'i 3Rs	
*Hawai'i Youth Service	
Head Start Collaboration Office	
It's All About Kids	
*INPEACE	
Joint Venture Education Forum	
Junior Achievement of Hawaii	

Testimony Support Regarding **Senate Bill 2281**
Establishing Licensure for School Psychologists in Hawai‘i

Tuesday February 22, 2022

Aloha,

I am a School Psychologist from the island of Maui and am writing in support of Hawai‘i State Legislature Bill SB2281, which would establish licensure requirements for School Psychologists in the state of Hawai‘i.

I have previously worked in states requiring licensing for School Psychologists (currently **all** states have this requirement, with the exception of Hawai‘i) and recognize the importance of hiring credentialed, certified, and licensed School Psychologists to meet the critical demands of this position. Requiring School Psychologists to meet the high level expectations that licensure would necessitate will ensure that our keiki are receiving assessment services, psycho-educational evaluations, evidence-based interventions, and program development by individuals qualified and trained to make data-based decisions to improve student engagement, learning, and outcomes.

Practicing under the professional title of “School Psychologist” when one is not credentialed and trained to the degree designated to hold that title is not only misleading, but potentially dangerous and damaging. Those who would meet the purposed requirements of School Psychology licensing in the State of Hawai‘i will have demonstrated the rigorous training specific to School Psychology graduate work, practicum, and internship mastery. School Psychologists who meet this standard will represent practitioners who have received extensive training in the roles and duties that the title represents. Licensing must be established for School Psychologists practicing in Hawai‘i and I urge you to support this bill.

Mahalo for the opportunity to submit testimony.

Holly Hoke, Ed.S. NCSP
School Psychologist

SB2281, a bill to license School Psychologists

Aloha Chair Baker, Vice Chair Chang, and members of the committee,

Hawai'i remains the only state in the nation without a School Psychologist credential, despite two sunset evaluations conducted regarding Psychologists that clarified all Psychologists should be licensed (Report No. 81-6, 1981; Report No. 87-22, 1987). Because Hawai'i does not have a School Psychology license, individuals who do not have graduate training in school psychology and who do not meet the nationally accepted certification standards can provide school psychological services within the educational setting. We are asking that legislators enact the present legislation, and require School Psychologists in Hawai'i have proper credentialing. This will ensure that students receive services from highly qualified and licensed professionals.

I am the District School Psychologist for East Hawaii and supervise a number of other School Psychologists. When I moved here I was concerned that there was not a credential for School Psychologists. I continued to carry liability insurance as a School Psychologist and maintained my Arizona School Psychologist License as a way to protect myself legally if a parent, lawyer, or advocate questioned my credentials.

As a specialist on campuses for Mental Health, IDEA Special Education Law, 504 eligibility, and Academic/Behavior/Social Emotional Learning Intervention systems support, I find it very worrisome that anyone who meets certain hiring criteria can work in the school system with some of our most needy children without the proper training.

As a supervisor for other School Psychologists I know they also maintain out of state licenses just to make sure they also have proof that they are providing services that they have been trained and gone to extensive amounts of schooling to achieve.

I am also aware of a few professionals who do not have a school psychologist background who are currently in that role. These individuals have very little training in working with the school age population, have no prior training in special education eligibility/services, and yet they are conducting Psychoeducational Assessments, providing intervention support, and dealing with Special Education Law on a daily basis.

It is essential that the Department of Education and the State of Hawaii have professionals properly credentialed and filling roles appropriate to their training. Not only will it protect our students, it will protect the DOE from Liability, the other professionals who are in this role from liability, and it will eventually add a funding resource for the DOE in medicaid billing (as 80% of our job is dealing with children in Special Education).

As a parent, a School Psychologist, and an employee of the DOE I support SB228.

Some quick Facts:

1. Why license school psychologists?
 - a. We are currently the only state in the nation without a credential
 - b. Without a licensing board, parents do not have anywhere to take ethical complaints related to malpractice
 - c. Without a proper credential, individuals who have not received the necessary training outlined by the nationally accepted certification standards put forth by the National Association of School Psychologists (NASP) can be employed as and use the title *School Psychologist* in Hawai'i
 - d. Licensing School Psychologists will allow the DOE to bill Medicaid for School Psychological services provided by School Psychologists
 - e. The Every Student Succeeds Act explicitly recognizes School Psychologists as "specialized instructional support personnel"

2. Is SB2281 similar to other state licensure laws?
 - a. Alabama, Alaska, Arizona, Arkansas, Washington, as a few examples, all require the completion of a School Psychology training program from an accredited institution OR a valid NCSP.

Respectfully Submitted.

A handwritten signature in black ink, appearing to read "Angie Graham". The signature is written in a cursive, flowing style with a long horizontal flourish extending to the right.

Dr. Angie Graham
District School Psychologist

SB2281, a bill to license School Psychologists

Aloha Chair Baker, Vice Chair Chang, and members of the committee,

Hawai'i remains the only state in the nation without a School Psychologist credential, despite two sunset evaluations conducted regarding Psychologists that clarified all Psychologists should be licensed (Report No. 81-6, 1981; Report No. 87-22, 1987). Because Hawai'i does not have a School Psychology license, individuals who do not have graduate training in school psychology and who do not meet the nationally accepted certification standards can provide school psychological services within the educational setting. We are asking that legislators enact the present legislation, and require School Psychologists in Hawai'i have proper credentialing. This will ensure that students receive services from highly qualified and licensed professionals.

I am the parent of two children in the Hawaii Department of Education. I am in support of this bill. When dealing with professionals on a campus as a parent I should know that the person I am working with does reflect the title of their position. I expect a school principal to have the administrative training to be trusted to deal with the systems on their campus. I would hope I could trust the Mental Health and Special Education professionals I am asking for support to help my children are actually trained and their title reflects their experience and expertise. However, I have seen that this is not always the case. Please ensure that my children and the rest of the students on the HIDOE campuses are being supported by those who know how to work in mental health and within special education law.

I support SB 2281 and the licensure of School Psychologists. All professionals working with my children should be hired correctly in a position they are expertly trained for as I expect from my children's teachers, Special Education Teachers, Speech Pathologists, and Principals.

Respectfully Submitted.



John Thomas Graham
Concerned Parent



SB2281, a bill to license School Psychologists

February 21, 2022
Hawai'i State Capitol
415 South Beretania Street

Aloha Chair Baker and members of the committee,

The Hawai'i Association of School Psychologists (HASP) believes that licensure is important for all professionals that are entrusted to care for students, especially those with special needs. HRS 465 protects the professional integrity of the term "psychology" by ensuring that non-licensed individuals cannot practice psychology. This public protection ensures that specialized training and expertise is required to practice psychology. Currently, School Psychologists are 'exempt' from having to have licensure to practice in the educational setting (HRS465) and have had no credentialing in the state of Hawai'i. Hawai'i is the **only** state in the nation that allows this. This exemption has allowed individuals who do not have graduate training in school psychology and who do not meet the nationally accepted certification standard to practice "psychology" within the educational setting. We are asking for the legislature's support to establish licensing in Hawai'i, in that it nullifies that exemption and ensures that students receive services from highly qualified and licensed professionals. Only certificated or licensed professionals are billable under Medicaid, so the current exemption does not allow for the Department of Education to bill for any services or evaluations conducted by school psychologists at this time. Licensing of school psychologists would be another avenue for the DOE to generate funds under Medicaid.

In addition to testimony provided to the Senate Committee on Health, HASP hereby recommends the following amendments to page 7, line 14:

(c) A school psychologist shall meet the continuing education requirements by obtaining twenty-five credit hours, with no less than ten of those hours accredited by the National Association of School Psychologists, as provided in the board's rules.

These amendments will better align annual continuing professional developments required in the State with NASP recommendations regarding school psychologist credentialing.

The research is clear that students who are identified with special learning needs are at a higher risk for a number of negative outcomes, such as dropping out of school, qualifying for lower-level jobs, or becoming involved in criminal activity. Raising the standards of practice for all school psychologists working in the state of Hawai'i will in turn increase appropriate service delivery to those students most in need.

Hawai'i Association of School Psychologists asks that you support licensing of school psychologists to ensure that all children in Hawai'i are afforded the same protection of a licensed and credentialed professional working within their scope of practice.

Respectfully Submitted:

Leslie Baunach,
Past-President, Hawai'i Association of School Psychologists (HASP)

Hawai'i Psychological Association

For a Healthy Hawai'i

P.O. Box 833
Honolulu, HI 96808

www.hawaiipsychology.org

Phone: (808) 521-8995

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Rosalyn H. Baker, Chair

Senator Stanley Chang, Vice Chair

DATE: February 22, 2022 10:00 A.M. - VIA VIDEO CONFERENCE

Testimony on SB2281 SD1 with comments.

The Hawai'i Psychological Association applauds the efforts of school psychologists to be licensed as this ensures quality care for children and families and adds an important layer of consumer protection that is in keeping with other professions and the profession of school psychology in other states, as noted in Part I of the bill. It also, at long last, would enable the state to seek reimbursements from the federal Medicaid program for services provided by school psychologists in educational settings. These are noble and stand-alone reasons for supporting the intent of this legislation that rise above some major concerns, including the absence of a NASP-accredited school psychology program in Hawai'i and the challenges of recruitment and retention of school psychologists.

However, we take strong issue with the amendments to HRS§465-4, which places the licensing of school psychologists under the auspices of the Board of Psychology. The Hawai'i Psychological Association would like to see the creation of a separate Board of School Psychology under the DCCA to avoid any confusion or unforeseen difficulties.

The reasons we oppose changing the composition of the Board of Psychology and support the aforementioned alternative is that school psychologists have different credentials. Their training and continuing education requirements, while varying by state, are substantively different from the education, training, and continuing education requirements of psychologists as a whole.

According to the National Association of School Psychologists' website, the State Education Agency (SEA) credentials school psychologists in *all* states to practice in the schools - except Texas and Hawai'i. Although Texas credentials its school psychologists through a state board of examiners of psychologists, they only credential those with a doctorate in school psychology.

Additionally, HPA members have expressed strong concerns about school psychologists rendering their opinions regarding licensure of psychologists – as a whole; and of psychologists rendering their opinions regarding the licensure of a specialized subset of the profession - school psychologists.

Thank you for the opportunity to provide input into this important bill.

Sincerely,



Raymond A Folen, Ph.D., ABPP.
Executive Director

2/21/2022
Hawai'i State Capitol
415 S Beretania St.
Honolulu, HI 96813

SB2281, a bill to license School Psychologists

Aloha Chair Baker, Vice Chair Chang, and members of the committee,

Hawai'i remains the only state in the nation without a School Psychologist credential, despite two sunset evaluations conducted regarding Psychologists that clarified all Psychologists should be licensed (Report No. 81-6, 1981; Report No. 87-22, 1987). Because Hawai'i does not have a School Psychology license, individuals who do not have graduate training in school psychology and who do not meet the nationally accepted certification standards can provide school psychological services within the educational setting. We are asking that legislators enact the present legislation, and require School Psychologists in Hawai'i have proper credentialing. This will ensure that students receive services from highly qualified and licensed professionals.

Additionally, I wish to point out that other States in the nation have the administration of a School Psychologist credentialing under the Board of Psychology. SB2281, as it is written, is not a new method of administering a School Psychologist credential compared to national practice.

The training of school psychologists is unique in that we have extensive training in cognitive, academic, social/emotional, behavioral, and adaptive assessment practices and training to ensure these measures are fair, reliable and valid. When these assessments are not utilized and administered as they were designed by properly trained professionals, the students are not being fairly assessed, which can result in inaccurate results. The research is clear that students who are identified with special learning needs are at a higher risk for a number of negative outcomes, such as dropping out of school, qualifying for lower-level jobs, or becoming involved in criminal activity. Raising the standards of practice for all school psychologists working in the state of Hawai'i will in turn increase appropriate service delivery to those students most in need.

Respectfully Submitted,
Alec Marentic, **NCSPP**
School Psychologist, Ka'u-Kea'au-Pāhoa Complex Area
President-elect, Hawai'i Association of School Psychologists

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I am a teacher who has taught in both General Education and Special Education classrooms for the past 22 years. After retirement I continued to help support children in Hawaii as a substitute teacher. Teachers and School Psychologists often work hand in hand helping support our most needy children. I have found amazing support from these professionals. They are knowledgeable in behavioral and academic intervention practices, systems of support for disability needs, data collection and analysis, curriculum based assessment, progress monitoring, mental health interventions, and have provided instructional support on numerous occasions.

When dealing with professionals on a campus I should know that the person I am working with does reflect the title of their position. I hold the title of Teacher, parents should know that as a "Teacher" I have taken and graduated from a "Teaching Program", parents and staff should have as much confidence in those who hold the title of School Psychologist. As a professional working on a K-12 campus I would hope I could trust that those I ask for to support me in the area of Mental Health and Special Education, are experts in these areas.

I support SB 2281 and the licensure of School Psychologists. All professionals working with K-12 students should be hired correctly in a position they are expertly trained. This should be similar across all professions in the Department of Education.

Respectfully Submitted,

Madeline Bennett



February 15, 2022
Hawai'i State Capitol
415 S Beretania St.
Honolulu, HI 96813

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Having a School Psychologist license is crucial for the state because it helps ensure that the best practices are being applied. It will also provide a sense of security for parents and guardians to know that their students are being evaluated and receiving support from qualified professionals. Additionally, parents and guardians would also have a licensing board to turn to if they were to have any ethical complaints related to malpractice.

Respectfully Submitted,
Monica Saldana

2/21/2022
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Recently, the American Psychological Association (APA) released anticipated updates to their model licensure guidelines regarding program accreditation. The APA's Commission on Accreditation (CoA) established a Master's Work Group in 2019 to establish the accreditation of Master's programs to address changes in the field's accreditation practices and the increasing demand from the public for psychological services, particularly in rural or urban areas and underrepresented minoritized groups (<https://www.apa.org/ed/accreditation/newsletter/2020/03/masters-accreditation>). According to the article, "Projections indicate that relying only on doctoral-level providers does not fully address current requirements for mental health services."

Though the APA is actively updating their model licensure to include Master's level credential pathways, the National Association of School Psychologists (NASP) maintains that the minimum training requirements necessary to practice School Psychology is a Specialty-level, and School Psychology under the current APA Model Licensure Act is a Specialty-level field.

The training of school psychologists is unique in that we have extensive training in cognitive, academic, social/emotional, behavioral, and adaptive assessment practices and training to ensure these measures are fair, reliable and valid. When these assessments are not utilized and administered as they were designed by properly trained professionals, the students are not being fairly assessed, which can result in inaccurate results. The research is clear that students who are identified with special learning needs are at a higher risk for a number of negative outcomes, such as dropping out of school, qualifying for lower-level jobs, or becoming involved in criminal activity. Raising the standards of practice for all school psychologists working in the state of Hawai'i will in turn increase appropriate service delivery to those students most in need.

Respectfully Submitted,
Kayla Doherty

SB-2281-SD-1

Submitted on: 2/21/2022 9:36:23 AM

Testimony for CPN on 2/22/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
LaTasia Franklin	Individual	Support	No

Comments:

Aloha Chair Baker, Vice Chair Chang and members of the committee,

I, LaTasia Franklin HDOE School Psychologist support SB2281



INSERT DATE
Hawai'i State Capitol
415 S Beretania St.
Honolulu, HI 96813

SB2281, a bill to license School Psychologists

Aloha Chair Baker, Vice Chair Chang, and members of the committee,

Hawai'i remains the only state in the nation without a School Psychologist credential, despite two sunset evaluations conducted regarding Psychologists that clarified all Psychologists should be licensed (Report No. 81-6, 1981; Report No. 87-22, 1987). Because Hawai'i does not have a School Psychology license, individuals who do not have graduate training in school psychology and who do not meet the nationally accepted certification standards can provide school psychological services within the educational setting. We are asking that legislators enact the present legislation, and require School Psychologists in Hawai'i have proper credentialing. This will ensure that students receive services from highly qualified and licensed professionals.

This bill is important to me because I am a practicing school psychologist in the state of Hawaii, under the certification of another state and my national certification. This is not okay and the state of Hawaii is literally the last state to not have a credentialing programming. It often read reports that are poorly written and review decisions made by previous personal filling in the position of a school psychologist without proper training that I then have to correct. It is opening HIDOE up to many potential lawsuits and is a detrimental liability. We need to be accurately representing our profession. Being a School Psychologist is not the same as being trained in clinical psychology, IO psychology, or the like. It is a specialty position that should only be filled by people who have proper training.

Respectfully Submitted,

Nicole Jones, Ed.S., NCSP
Arizona State Certified
Colorado State Certified
Hawaii State, N/A

TO: COMMITTEE ON HEALTH
Senator Jarrett Keohokalole
Senator Rosalyn H. Baker

LATE

FROM: Ali Hildenbrand, Private Citizen

DATE: 2/15/22

RE: Testimony in Support HB2281 RELATING TO PSYCHOLOGY

I am writing to support HB2281: Establishes licensure requirements for school psychologists to be administered by the Board of Psychology. Requires all school psychologists to be licensed by July 1, 2025. Increases the composition of the Board of Psychology to include two school psychologists.

School psychologists play an integral part in mental health care inside our school system. School psychologists assist in identifying, managing, and overcoming a range of mental health needs within the student population. These qualified professionals are crucial to students' academic, social and emotional success. They are skilled professionals devoted solely to the student population's mental health, and our state should recognize the importance and responsibility of that role.

Currently, Hawaii is the only state without certification requirements for school psychologists. Federal regulations prevent school districts from accessing Medicaid funding without licensed school psychologists. [Evidence has shown](#) the vast benefits of Medicaid for children eligible and connected to the health coverage. The many positive outcomes associated include: more likely to finish high school, having fewer ER visits as adults, and higher earning power in adulthood.

Thank you for your time and consideration in making Hawaii schools a safer and better place for our students.

Ali Hildenbrand

LATE

SB-2281-SD-1

Submitted on: 2/22/2022 9:40:10 AM

Testimony for CPN on 2/22/2022 10:00:00 AM

Submitted By	Organization	Testifier Position	Remote Testimony Requested
Kiana Suganuma	Individual	Support	No

Comments:

I feel within the school system, school psychologists get overlooked in regards to the academic and social success of our youth. School psychologists are an integral part of our community. Not only do they collaborate with parents, teachers, and administrators to find effective solutions to learning and behavior problems for students, but they also may evaluate eligibility for special services that could potentially be life changing. Having the support of the Department of Education is one thing, but having the background and resources to fulfil that job is another. Establishing license requirements for school psychologists should be a standard. Anyone with access to a degree in Psychology shouldn't be able to automatically be qualified to be in charge of and work with students based on the fact they have completed 120 credits (give or take). The whole purpose of the Board of Psychology is to protect the health, safety and welfare of the people and to regulate the practice of psychology. By establishing rigorous criteria such as graduate work, practica, internships, etc., it would only solidify the experience and expertise of the individual. We need to establish these criteria because it gives validation to both the individual, who rightfully deserves appreciation and appropriate compensation for the job they are doing for the school and the community, but also to confirm they are equipped to deal with the severity of the job.

Recently within the local community, a large fight broke out at Pahoehoe High School. To simply, according to reports an altercation stemming from racial remarks took place that resulted in the suspension of approx. 20 students. This caused the school to go on lockdown and a school security guard was assaulted. Now we are not here to discuss a particular aspect of this incident but it is very prevalent that school psychologist is written all over this situation. As a person of this community, I don't feel comfortable of just anyone with a Psychology degree sitting these children down and having a "serious" conversation. I want to make sure that these individuals, the school psychologists you hired to make a difference in these schools, know what they're talking about, they have experience having these conversations and have the ability to reach these children. An unqualified person should not be in this situation, period. As a parent, I also need to know that the resources that are available to my child have academic backing and are qualified for the position.

SB2281 SD1 is calling for all school psychologists to be licensed by July, 1, 2025 and to increase the composition of the Board of Psychology to include two school psychologists. This should be a no-brainer. The most reliable way to protect the future is to create it.