

Honolulu, Hawaii

APR 27 2023

RE: S.B. No. 1340
S.D. 2
H.D. 2
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-Second State Legislature
Regular Session of 2023
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 1340, S.D. 2, H.D. 2, entitled:

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

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Beginning August 1, 2024:
 - (A) Reinstate and make permanent the exemption from the behavior analyst licensing requirements for certain teachers working in collaboration with a licensed behavior analyst or licensed psychologist;
 - (B) Expand the exemption for registered behavior technicians to implement applied behavior analysis



services under the direction of a licensed psychologist; and

- (C) Reinstate and make permanent the exemption from the behavior analyst licensing requirements for individuals who implement applied behavior analysis services to participants in the Medicaid Home and Community-Based Services Waiver Program; and
- (2) Require the Department of Education to report to the Legislature on the status of implementing Medicaid reimbursements for applied behavior analysis services.

Your Committee on Conference finds that the Department of Education is experiencing a shortage of licensed behavior analysts to provide adequate support to students in the public school system. This measure increases student access to applied behavior analysis services by expanding the types of individuals who may implement applied behavior analysis services in the State without obtaining a behavior analyst license under certain conditions.

Your Committee on Conference has amended this measure by:

- (1) Deleting language that would have made the amendments to existing law that governs exemptions from the behavior analyst licensing requirements effective August 1, 2024;
- (2) Amending section 1 to reflect its amended purpose;
- (3) Making it effective upon its approval; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 1340, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 1340, S.D. 2, H.D. 2, C.D. 1.

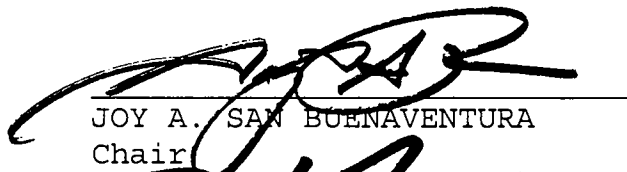


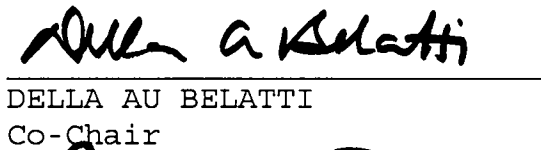
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE


JUSTIN H. WOODSON
Co-Chair


JOY A. SAN BUENAVENTURA
Chair


DELLA AU BELATTI
Co-Chair


JARRETT KEOHOKALOLE
Co-Chair


JACKSON D. SAYAMA
Co-Chair



Hawai'i State Legislature

CCR58

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 1340, SD 2, HD 2	Date/Time: <i>4:50</i> 04/27/23 2:27 PM
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
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Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
SAN BUENAVENTURA, Joy A., Chr.	/				WOODSON, Justin H., Co-Chr.	/			
KEOHOKALOLE, Jarrett, Co-Chr.	/				BELATTI, Della Au, Co-Chr.	/			
SHIMABUKURO, Maile S.L.				/	SAYAMA, Jackson D., Co-Chr.	/			
					LA CHICA, Trish				/
					PIERICK, Elijah	/			
TOTAL	2	0	0	1	TOTAL	4	0	0	1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
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Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
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Distribution:

<input checked="" type="checkbox"/> Original <i>File with Conference Committee Report</i>	<input type="checkbox"/> Yellow <i>House Clerk's Office</i>	<input type="checkbox"/> Pink <i>Senate Clerk's Office</i>	<input type="checkbox"/> Goldenrod <i>Drafting Agency</i>
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