

Testimony of the Board of Psychology

**Before the
Senate Committee on Commerce and Consumer Protection
and
Senate Committee on Ways and Means
Wednesday, March 1, 2023
9:30 a.m.
Conference Room 211 & Videoconference**

**On the following measure:
S.B. 320, S.D.1, RELATING TO THE PSYCHOLOGY INTERJURISDICTIONAL
COMPACT**

WRITTEN TESTIMONY ONLY

Chair Keohokalole, Chair Dela Cruz, and Members of the Committees:

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

The purposes of this bill are to: (1) establish a working group to study the feasibility and effects of the State adopting the Psychology Interjurisdictional Compact (Compact); and (2) require a report to the Legislature.

The Committee provides the following comments and concerns regarding the Compact language, and an additional comment addressing the amendment of the bill establishing the working group:

- (1) The Compact is relatively new and still under development. S.B. 320 represents only the second time the Compact has been introduced in the legislature (first in 2020); the Commission of the Compact has been establishing and revising the rules and bylaws for the Compact functions, which are not codified in the language of this measure.
- (2) Currently, Compact legislation has been enacted by 35 states, of which 33 are participating members of the Compact;
- (3) The bill language would allow Compact privilege holders to provide:
 - (a) Telehealth mental health services to the public in Hawaii without Hawaii licensure; and

- (b) Temporary (30 day) in-person mental health services without a Hawaii license to practice psychology.
- (4) The Committee could not obtain data on the number of violations by practitioners utilizing the Compact privilege and, therefore, the Committee has been unable to identify trends such as costs of enforcement, which may include costs such as travel to the jurisdiction where the alleged infraction took place;
- (5) Currently the Board does not perform Federal Bureau of Investigations (FBI) background checks on applicants as this is not required by Hawaii Revised Statutes (HRS) chapter 465. To comply with the Compact, chapter 465 HRS would need to be amended to give the Board the authority to perform FBI background checks. Page 12, lines 3 to 9 of the original bill, requires an:
 - Identity History Summary of all applicants at initial licensure, including the use of the results of fingerprints or other biometric data checks compliant with the requirements of the Federal Bureau of Investigation (FBI), or other designee with similar authority, no later than ten years after activation of the Compact;
- (6) To exercise the authority to practice interjurisdictional telepsychology, or temporary authorization to practice in-person, a psychologist in a Compact state must meet certain education requirements (page 14, line 1 to page 16, line 10 of S.B. 320). One such requirement is to hold a “graduate degree in psychology.” The Committee is concerned that with the degree type defined as “graduate,” the door to practice in Hawaii could eventually be opened to those with a master’s degree, and not the doctoral degree currently required by HRS chapter 465. While the Compact Commission currently defines “Graduate Degree” to mean “a doctoral degree,” the Commission rather than the Board has authority over the degree parameters required of Compact members. If the Compact was adopted,

the Board would have no authority over the minimum degree level required to practice remotely or in-person in Hawaii.

- (7) Currently, applicants may be licensed in Hawaii if they hold a qualifying doctoral degree in clinical, counseling, or school psychology, or programs that offer combinations of two or more of these areas. S.B. 320 merely requires that a graduate degree be in psychology, a far broader requirement which may open the door to psychology degree types currently excluded from licensure;
- (8) While the Committee is extremely concerned about the current restricted access to mental health care in Hawaii, it is also equally concerned that Compact providers may potentially never physically enter Hawaii, nor be knowledgeable about the history of the State and its people;
- (9) The Committee notes that there may be a significant impact on the fees collected by the Board for licensure which partially funds the Professional Vocational Licensing Division's and the Regulated Industries Complaints Office's administrative and enforcement functions; and
- (10) Lastly, the Board has not been able to review this latest iteration of the bill, but will do so at its March 3, 2023 publicly noticed meeting.

Thank you for the opportunity to testify on this bill.



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE
1500 DEFENSE PENTAGON
WASHINGTON, D.C. 20301-1500

MANPOWER AND
RESERVE AFFAIRS

March 1, 2023

The Honorable Senator Jarrett Keohokalole and
Senator Donovan M. Dela Cruz
Chairs, Senate Committee on Commerce and Consumer Protection and
Senate Committee on Ways and Means
415 South Beretania St.
Honolulu, HI 96813

SUBJ: DoD Support – SB 320 SD1 (Relating to the Psychology Interjurisdictional Compact)

Dear Chairs Keohokalole and Dela Cruz, and Members of the Committees:

On behalf of the United States Department of Defense (DoD) and military families, I am writing to express strong support for the policy addressed in Senate Bill (SB) 320 SD1.

DoD has advocated for improved licensure and career portability for military Service members and their spouses for several years. Military spouses are disproportionately affected by state-specific professional licensing requirements that can cause delays and gaps in employment, with 36 percent requiring a state license to practice in their professions and an annual cross-state relocation rate ten times higher than their civilian counterparts. Accordingly, military spouses experience unemployment and underemployment at significantly higher rates than their civilian peers.

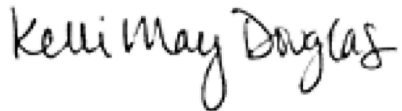
State policies enacting interstate licensure compacts, such as the Psychology Interjurisdictional Compact (PSYPACT), relieve one of the many stressors of frequent military moves by enabling military spouses to transfer their licenses more quickly across state lines and obtain employment as soon as they relocate to a new state. These policies facilitate greater career sustainability for military spouses, improving their families' financial security and overall resilience.

Finally, interstate licensure compacts benefit not only military spouses, but also apply to all eligible professionals to include active-duty Service members, members of the reserve components, veterans, and civilians. By enacting the PSYPACT policy, Hawaii would have the opportunity to increase its behavioral healthcare workforce available to serve the local community while supporting military families. The Department welcomes the opportunity to provide input to a working group evaluating the feasibility of Hawaii joining the other thirty-five states who have approved this compact.

In closing, the Department of Defense is very appreciative of Hawaii's ongoing commitment and efforts to support members of the military and their families who sacrifice much in service to our

country. Thank you for providing me the opportunity to provide comments in support of this policy proposal.

Sincerely,

A handwritten signature in black ink that reads "Kelli May Douglas". The signature is written in a cursive, flowing style.

Kelli May Douglas
Pacific Southwest Regional Liaison
Defense-State Liaison Office
DoD, Military Community & Family Policy
571-265-0075



To: Senator Jarrett Keohokalole, Chair, Committee on Commerce and Consumer Protection
Senator Carol Fukunaga, Vice Chair, Committee on Commerce and Consumer Protection
Senator Donovan M. Dela Cruz, Chair, Committee on Ways and Means
Senator Gilbert S.C. Keith-Agaran, Vice Chair, Committee on Ways and Means

From: Paula Arcena, External Affairs Vice President
Mike Nguyen, Public Policy Manager

Hearing: Wednesday, March 1, 2023 9:30AM
State Capitol, Conference Room 211

RE: SB320, SD1 Relating to the Psychology Interjurisdictional Compact-Support

AlohaCare appreciates the opportunity to provide testimony in **support of SB320, SD1**. This measure establishes a working group to evaluate the feasibility and effects of the State entering into a Psychology Interjurisdictional Compact, designates members of the working group and specifies reporting requirements to the Legislature.

Founded in 1994 by Hawai'i's community health centers, AlohaCare is a community-rooted, non-profit health plan serving over 80,000 Medicaid and dual-eligible health plan members on all islands. Approximately half of our membership are keiki. We are Hawai'i's only health plan exclusively dedicated to serving Medicaid beneficiaries. Our mission is to serve individuals and communities in the true spirit of aloha by ensuring and advocating for access to quality health care for all. We believe that health is about supporting whole-person health needs.

Psychologists are an important source of care for mental health services. Hawai'i's shortage of psychologists is the most severe for our most vulnerable residents, Medicaid beneficiaries and those who live in rural communities. A lack of timely access to mental health treatment can have devastating consequences. During the COVID-19 pandemic which triggered an alarming rise in anxiety and depression, pre-existing backlogs and months waits for appointments were exacerbated. The shortage contributes to burnout and fatigue because our psychologists are stretched thin. Telehealth provided a way to avoid in-person contact during the pandemic, but did little to address the shortage of psychologists.

We support this measure's approach to form a working group to study the benefits, implementation and economic impacts of joining the Psychology Interjurisdictional Compact in an effort to make mental health a priority by improving access to quality care for all of Hawai'i's residents.

Mahalo for the opportunity to submit testimony in **support of SB320, SD1**.



March 1, 2023

To: Chair Keohokalole, Chair Dela Cruz, Vice Chair Fukunaga, Vice Chair Keith-Agaran, and Members of the Senate Committee on Commerce and Consumer Protection and the Senate Committee on Ways and Means

From: Hawaii Association of Health Plans Public Policy Committee

Date/Location: March 1, 2023; 9:30 a.m., Conference Room 211/Videoconference

Re: Testimony in support of SB 320 SD1– Relating to the Psychology Interjurisdictional Compact.

The Hawaii Association of Health Plans (HAHP) appreciates the opportunity to testify in support of SB 320. HAHP is a statewide partnership that unifies Hawaii’s health plans to improve the health of Hawaii’s communities together. A majority of Hawaii residents receive their health coverage through a plan associated with one of our organizations.

HAHP appreciates the compact’s ability to relieve some of the burden on our health care providers and increase resources and access for rural communities. HAHP also recognizes that the pandemic highlighted gaps in our health care system. Workforce support and expansion is important to strengthening Hawaii’s health care network. While we recognize that participation in all of the compacts is probably not doable immediately, we support a prioritized and systematic approach to participation in interstate compacts to expand Hawaii’s “toolkit” for providing essential care for our members and our community and support a working group to study feasibility.

Thank you for the opportunity to testify on SB 320 SD1.

Sincerely,

HAHP Public Policy Committee
cc: HAHP Board Members

AlohaCare | HMAA | HMSA | Humana | HWMG | Kaiser Permanente | MDX Hawaii | Ohana Health Plan | UHA Health Insurance | UnitedHealthcare

hahp.org | 818 Keeaumoku Street, Honolulu, HI 96814 | info@hahp.org



March 1, 2023

9:30 a.m.

Conference Room 211

VIA VIDEOCONFERENCE

To: Senate Committee on Commerce and Consumer Protection

Sen. Jarrett Keohokalole, Chair

Sen. Carol Fukunaga, Vice Chair

Senate Committee on Ways and Means

Sen. Donovan Dela Cruz, Chair

Sen. Gilbert Keith-Agaran, Vice Chair

From: Grassroot Institute of Hawaii

Ted Kefalas, Director of Strategic Campaigns

RE: SB320 SD1 — RELATING TO THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT

Comments Only

Dear Chair and Committee Members:

The Grassroot Institute of Hawaii would like to offer its comments on [SB320 SD1](#), which would create a working group to review the feasibility and possible consequences of Hawaii joining the Psychology Interjurisdictional Compact (PSYPACT).

According to the Physician Workforce 2023 annual report, Hawaii has a 45.2% shortage of adult psychiatrists and a 42.8% shortage of child and adolescent psychiatrists.¹

But the shortage extends far beyond psychiatrists alone. Hawaii employed 66 school psychologists in 2022 — for a ratio of one school psychologist for every 2,800 students. The National Association of School Psychologists suggests a 1 to 500 ratio.²

¹ [“Annual Report on Findings from the Hawai‘i Physician Workforce Assessment Project,”](#) University of Hawaii System, Dec. 2022, p. 17.

² Jessica Terrell, [“Hawaii Has A Shortage Of School Psychologists. National Research Says That’s A Problem,”](#) Honolulu Civil Beat, Sept. 17, 2022.

As we discuss in a new policy brief [“How changing Hawaii’s licensing laws could improve healthcare access.”](#) licensing compacts are one reform that might make it easier for Hawaii to attract and retain healthcare professionals.³

“Joining multiple interstate compacts could be the simplest route to address the difficulties medical professionals face in moving to Hawaii.

“Most important, the compact approach has support from within the medical community,” the report states.

Numerous other states have adopted this compact and others, and the various compact commissions are more than happy to assist state regulators in the implementation phase.

Even though this bill does not outright adopt PSYPACT, we hope that the working group will examine the costs and benefits of joining the compact and that the Legislature might consider it again next session.

Thank you for the opportunity to submit our comments.

Sincerely,

Ted Kefalas
Director of Strategic Campaigns,
Grassroot Institute of Hawaii

³ Malia Hill, [“How changing Hawaii’s licensing laws could improve healthcare access.”](#) Grassroot Institute of Hawaii, Feb. 2023.