



STATE OF HAWAII
DEPARTMENT OF EDUCATION
KA 'OIHANA HO'ONA'AUAO
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 02/13/2024
Time: 02:05 PM
Location: 329 VIA VIDEOCONFERENCE
Committee: House Consumer Protection
& Commerce

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: HB 1648, HD1 RELATING TO SCHOOL PSYCHOLOGY.

Purpose of Bill: Creates a School Psychologists Working Group to recommend actionable steps or propose legislation for an immediate pathway to licensure for school psychologists that can be acted upon in 2025. Effective 7/1/3000. (HD1)

Department's Position:

The Hawaii State Department of Education (Department) supports HB 1648 HD1, which creates a School Psychologists Working Group to recommend actionable steps or propose legislation for an immediate pathway to licensure for school psychologists.

According to the National Association of School Psychologists (NASP), most State Education Agencies (SEA) offer a "certification" as a credential pathway for school psychologists. NASP further clarifies this through resources linked on the "Certification and Licensure Q&A Panel" page of the NASP site, stating that a school psychologist's credential is "the official recognition of professional status," with certification or licensure being proffered by the credentialing authority to an individual who meets credentialing requirements.

To align with NASP messaging and national norms, the Department requests the term "licensure" be amended to "licensure and certification," specifically as found on page 1, line 10, and page 2, lines 1 and 6.

Thank you for the opportunity to provide testimony on this measure.

Testimony of the Board of Psychology

**Before the
House Committee on Consumer Protection & Commerce
Tuesday, February 13, 2024
2:05 p.m.
Conference Room 329 and Videoconference**

**On the following measure:
H.B. 1648, H.D. 1, RELATING TO SCHOOL PSYCHOLOGY**

Chair Nakashima and Members of the Committee:

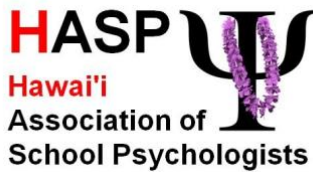
My name is Christopher Fernandez, and I am the Executive Officer of the Board of Psychology (Board). The Board supports the intent of this bill and its Legislative Committee (Board Committee) offers comments.

The purpose of this bill is to create a School Psychologists Working Group (Working Group) to recommend actionable steps or propose legislation for an immediate pathway to licensure for school psychologists that can be acted upon in 2025.

The Board voted to support the intent of H.B. 1648, H.D. 1, for the following reasons:

- The vote to support the formation of a working group is consistent with the position the Board has continually maintained on bills creating licensure for school psychology-specialists. Mainly, while the Board has steadily opposed integrating school psychologist-specialists into the Board's regulatory responsibilities and composition, the Board has explicitly supported the intent to regulate school psychology-specialists within other entities, including most recently, within the Department of Education (DOE). The Board acknowledges the DOE would need to overcome multiple hurdles to regulate school psychology-specialists in a manner consistent with the national regulatory trends for the profession. Consequently, the Board offers its assistance in the matters of the proposed Working Group to help ensure public access to safe practitioners, and the delivery of school psychologist services are of the highest level in this State.

- While the Board supported licensure of school psychology-specialists in 2016, the bill it supported formed a separate licensing program, which was consistent with the Board's position not to integrate master's-level specialists into the Board's regulatory oversight, as that bill would have done prior the creation of the Working Group.
- Regarding the Working Group's composition: the Board believes that although the purpose of the Working Group is to discuss the creation of a licensure process for school psychology-specialists, the resulting licensing process may still affect HRS chapter 465. Therefore, current stakeholders affected by any possible amendments to HRS chapter 465 should be included in discussions. The Board recommends that along with representatives from Hawaii Association of School Psychologists and National Association of School Psychologists, representatives from the Hawaii Psychological Association (HPA) and the American Psychological Association (APA) be added as explicit members or invitees of the Working Group. The Board Committee believes that a member or representative should be added as well. The Board Committee prefers the language of S.B. 958, S.D. 1, which creates a similar working group within the DOE.
- Lastly, the Board Committee would like to note that any process created for a pathway to licensure for school psychology-specialists will take time to implement and cannot occur immediately as this measure intends. For this reason, the Board Committee believes it is more reasonable to discuss licensure beginning in 2-3 years if it is this Committee's intent to move forward with this bill. The 2-3 year timeframe would allow appropriate time to safely implement a new regulatory scheme for the licensure or credentialing of school psychology-specialists, which would likely include: (1) creating administrative rules; (2) creating application materials, and (3) training staff. The Board Committee prefers S.B. 958, S.D. 1, since it does not include a licensure deadline of 2025. Thank you for the opportunity to testify on this bill.



HB1648 Credentialing School Psychologists in Hawai'i

Aloha Chair Nakashima and members of the committee:

The Hawai'i Association of School Psychologists believes that credentialing is important for all professionals that are entrusted to care for students, especially those with special needs. Hawai'i Revised Statutes (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 needing such a credential to practice in the educational setting (HRS 465) and have no credentialing in the State. 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 "school psychology" within the educational setting. We are asking for the legislature's support to establish credentialing requirements for School Psychologists in the State, thereby ensuring that students receive services from highly qualified and properly licensed professionals. Additionally, recent updates to CMS now explicitly name licensed School Psychological services as billable, and would enable the DOE to generate additional funds under Medicaid. Finally, the proposed legislation aligns with the nationally adopted language and structure for credentialing School Psychologists.

Graduate training in school psychology and a supervised internship aligns with the Practice Model set forth by the National Association of School Psychologists (NASP). The Practice Model outlines the professional expectations of respecting the dignity and rights of all persons and maintaining professional competency and integrity in professional relationships to foster and maintain the public's trust. The NASP practice model outlines the training of school psychologists, which requires them to be forthright about their qualifications, competencies, and roles. We work in full cooperation with other professional disciplines to meet the needs of students and families and avoid multiple relationships that diminish their professional effectiveness. We maintain the public trust by respecting law and encouraging ethical conduct. When untrained and unqualified persons are employed as a school psychologist under this current exemption in HR 465, but do not meet the graduate level training requirements, the integrity of the profession is compromised and the public is not protected. 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 increase appropriate service delivery to those students most in need.

The Hawai'i Association of School Psychologists asks that you support the credentialing 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, NCSP
NASP Delegate-Hawaii

To: House of Representatives Committee on Consumer Protection & Commerce
Re: **HB 1648 HD1 - Relating to School Psychology**

Hawai'i State Capitol, Conference Room 329 & Via Videoconference
Tuesday February 13, 2:05 PM

Dear Chair Nakashima, Vice Chair Sayama, and Committee Members,

On behalf of HCAN Speaks!, I am writing in support of HB 1648, relating to school psychology. This bill creates a School Psychologists Working Group to recommend actionable steps or propose legislation for an immediate pathway for licensure of school psychologists to be acted upon in 2025.

Hawai'i is currently the only state in the nation without credentialing requirements for school psychologists. That puts our children and youth at risk, as individuals who lack adequate training can be hired to practice as school psychologists for the Department of Education (DOE).

And in the unfortunate event of malpractice against their keiki, parents do not have anywhere to take ethical complaints, since there is no licensing board for school psychologists in our state.

In addition, licensing school psychologists would be good for the state budget, as it would allow the DOE to bill Medicaid for school psychological services provided by school psychologists.

The American Academy of Pediatrics, American Academy of Child and Adolescent Psychiatry, and Children's Hospital Association declared a National State of Emergency in Children's Mental Health in October 2021.¹ To help reduce the increased rates of anxiety, depression, and potential suicides that occurred since the start of the pandemic, the Surgeon General recommends ensuring all children have access to high-quality and culturally competent mental health care in schools and other community-based settings.^{2,3}

Please lookout for the mental health of our keiki and pass this bill.

Thank you,
Noreen Kohl, Ph.D.
Children's Health and Wellness Policy Advocate

¹ <https://www.aap.org/en/advocacy/child-and-adolescent-healthy-mental-development/aap-aacap-cha-declaration-of-a-national-emergency-in-child-and-adolescent-mental-health/>

² <https://news.feinberg.northwestern.edu/2023/01/25/shortage-of-mental-health-professionals-linked-to-increase-in-youth-suicides/>

³ <https://www.hhs.gov/sites/default/files/surgeon-general-youth-mental-health-advisory.pdf>



Hawai'i Psychological Association

For a Healthy Hawai'i

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COMMITTEE ON CONSUMER PROTECTION & COMMERCE

Rep. Mark M. Nakashima, Chair

Rep. Jackson D. Sayama, Vice Chair

February 13, 2024 2:05pm Conf. Room 329 & via Videoconference

HB1648 HD1: Testimony in Support of a School Psychologists Working Group

According to a recent consult of the National Association of School Psychologists' (NASP) website, **48 states credential their school psychologists through their “State Education Agency” (SEA)**. Only two states do not - Texas and Hawai'i. The national “Council of Chief State School Officers” has identified **Hawaii’s department of education (DOE) as Hawaii’s SEA**. Texas is unique in that it only credentials those with a doctorate in school psychology through a state board of examiners of psychologists.

The Hawai'i Psychological Association (HPA) 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.

In prior iterations of this proposal, **HPA had expressed major concerns** over the absence of NASP-accredited school psychology programs in Hawai'i; and the challenges of recruitment and retention of school psychologists locally.

HPA had also expressed serious reservations about language in the prior draft of this bill as lacking clarity on school psychologists' scope of practice and service. HPA was especially concerned about an earlier proposal to change the composition of the Board of Psychology and task them with providing oversight and regulation over school psychologists - as they have very different credentialing requirements.

We also note that under Hawaii Revised Statutes (HRS) Chapter 465-7(a), to obtain licensure as a Psychologist in Hawaii, one must have “completed one year of **post doctoral** supervised experience in **health service** in psychology”; among other things – a requirement very distinct from the educational requirements imposed on licensed “School Psychologists” in other states.

We are therefore in strong support of the amendments made by the Education Committee to this bill to create a legislatively mandated “working group.” We hope this working group can provide greater clarity to the Scope of Service provided by School Psychologists; and would encourage the addition of a Hawaii-licensed Psychologist to the group to help in this effort.

AUDITOR REPORT

Our concern over the clear definition of School Psychologists' Scope of Service is reflected in the **November 2022 “Sunrise Analysis: Regulation of School Psychologists”** issued by the State of Hawaii Office of the Auditor. In that report, the Auditor notes that NASP Model for Comprehensive and Integrated School Psychological Services (the NASP Practice Model):

- “[D]oes not contain standards from which one can reasonably determine what constitutes the practice of psychology; specifically, it does not define the scope or boundaries of the practice[;]”
- That their “review of the NASP Practice Model confirmed that [NASP’s] domains [of practice] are broad, general descriptions of the basic knowledge, judgement, and skills that, according to the [NASP], school psychologists need, not the scope of the practice of the school psychology[;]”
- That the examples provided in the NASP Practice Model are “broadly written and remain unclear as to the actual services and to whom the services are being provided[;]”
- And reiterated that “[t]he Professional Development and Standards Director [of the NASP] said the NASP Practice Model is ‘designed to identify the competencies that school psychologists can reasonably expect to have and to be able to provide. It is not a scope of practice. It is not written to be a scope of practice per se’.”

We hope a working group can outline a detailed description of services to be provided. For example, School psychologists’ training seems to focus on social emotional health and wellness; and includes only the word, “counseling,” to describe clinical activities. Nationally certified school psychologists are not trained in the diagnosis and treatment of mental health conditions in ways similar to clinical psychologists. Would school psychologists be permitted to diagnose students; and if so, what diagnoses? What if a student has ADHD and anxiety? Are school psychologists diagnosing and treating both of these conditions? Is that part of their training; and more importantly, is that included in their scope of services?

DISPARATE CREDENTIALING

School psychologists’ training and continuing education requirements, while varying by state, are substantively different from the education, training, and continuing education requirements of clinical psychologists. We also recommend the working group grapple with what credentialing requirements should be imposed for state licensure.

To help aid in this review, attached is a table which juxtaposes Chaminade University's EdS program (School Psychology) with Chaminade's new Educational Psychology Doctoral program.

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

Sincerely,



Alex Lichton, Ph.D.
Chair, HPA Legislative Action Committee

| EdD in Educational Psychology | EdS in School Psychology |
|---|--|
| <p>Interns are required to document a minimum of 300 direct clinical hours and 300 administrative hours. The intern is required to complete a minimum of 600 total.</p> <p>Site-specific training requirements:</p> <ul style="list-style-type: none"> ● *Counseling experience at the K-5 level ● *Testing experience at the K-5 level ● *Counseling experience at the 6-12 level ● *Testing experience at the 6-12 level ● Exposure to & understanding of rules, forms, and procedures relative to special education *Attending & participating in Student Support Team (SST) ● *Attending & participating in a 504 meeting ● * Attending & participating in Student Support Team (SST) ● *Attending, participating, presentation of testing evaluation, and drafting goal development/supplemental aids at a 504 meeting ● *Attending, participating, presentation of testing evaluation, and drafting goal development/supplemental aids at core meetings, including the development of individual education plans ● *Classroom observations of students' behavior in the classroom relative to student intervention/assessment concerns ● *Consultation with parents, teachers, district providers, and administrators ● *Exposure to culturally diverse students ● Receive a minimum of 1 hour of supervision per week | <p>Internship Requirements:</p> <p>A. A minimum of 1200 clock hours, including a minimum of 600 hours of the internship completed in a school setting;</p> <p>School psychologists' training emphasizes using research-based methods, understanding both individual and environmental factors influencing learning and behavior, and individual and systems level interventions. More specifically, school psychologists develop knowledge and skills in areas such as:</p> <ul style="list-style-type: none"> ● Data collection and analysis ● Assessment ● Resilience and risk factors ● Consultation and collaboration ● Academic/learning interventions ● Mental and behavioral health ● Instructional support ● Prevention and intervention services ● Special education services ● Crisis preparedness, response, and recovery ● Family–school–community collaboration ● Diversity in development and learning ● Cultural competence ● Research and program evaluation ● Professional ethics and school law |
| <p>Licensing Requirements:</p> <ul style="list-style-type: none"> ● At least 3,000 hours of post-graduate | |

experience must be completed in two to four years for licensure. Of those hours, 100 must be face-to-face clinical supervision under an LMHC, psychologist, clinical social worker, advanced practice registered nurse with a specialty in mental health, marriage and family therapist, or physician with a specialty in psychiatry.

- Licensure as a counselor in Hawaii requires a passing score on the National Counselors Examination for Licensure and Certification (NCE).

Common Misunderstandings About Licensing School Psychologists [HB1648/SB958](#)

1. A Sunrise Analysis is required when expanding a regulatory body to include lower-level degrees

The Hawai'i Regulatory Licensing Reform Act (section 26H-2, Hawai'i Revised Statutes) requires the auditor to analyze proposed regulatory measures that, if enacted, would subject unregulated professions and vocations to licensing or other regulatory controls.

Case reviews of sunrise analyses and Acts passed by the Legislature suggest this law is intended for new regulatory measures and not for the expansion of existing regulatory measures. Please see below for case examples:

Social Workers: Social Workers were initially regulated in 1989 following two Sunrise Analyses that did not recommend regulatory measures. In the initial regulation, [Act 213](#), registration requirements clarified that “the applicant has received a master’s degree in social work”. [HRS Chapter 467E](#) currently clarifies that bachelor’s-level social workers (LBSW) are required to obtain a license to practice; however, there is no evidence that a Sunrise Analysis was completed to determine the necessity of regulating bachelor’s-level social workers.

Nurses: Nurse Aides, Licensed Nurse Practitioners, and Registered Nurses received a sunset evaluation in 1984 that recommended continued regulatory measures. Though the training, qualifications, and scope of practice between them is different, separate sunrise or sunset analyses were not required to determine the continued need for regulating these titles ([HRS Chapter 457](#)).

2. A conclusive Sunrise Analysis is required to enact regulatory measures

Psychologists ([Report No. 81-6](#)), Marriage and Family Therapists ([Report No. 95-26](#)), Mental Health Counselors ([Report No. 99-21](#)), and Social Workers ([Report No. 86-9](#); [Report No. 88-16](#)) were all regulated despite Sunrise Analyses that did not recommend regulatory measures or were inconclusive.

3. School Psychologists do not belong under the Board of Psychology

School Psychologists are Psychologists. School Psychology, Clinical Psychology, and Counseling Psychology were recognized by the American Psychological Association (APA) as a speciality of psychology at the same time in 1998 ([APA, 2020](#)). School Psychology is not defined by the APA as a subset of Clinical or Counseling Psychology; Clinical Psychology, Counseling Psychology, and School Psychology are all specialties of psychology. The APA also currently defines Health Services Psychology as Clinical Psychology, Counseling Psychology, School Psychology, and other developed practice areas” ([APA, 2019](#)). In 2021 the APA’s accreditation operating procedures (AOP) were amended to include education programs at the master’s level, termed AOP-M. These standards do not meet the graduate preparation, practice, or credentialing of School Psychologists ([APA, 2021](#)), but would be eligible for accreditation and licensure under APA’s guidance.

Additionally, there is precedent for varying degree levels being housed under one board, such as Social Work ([HRS, Ch. 467E](#)); Nursing ([HRS, Ch. 457](#)); Speech and Audiology ([HRS, Ch. 468E](#)); and Physical Therapy ([HRS, Ch. 461J](#)).

Additionally, there is precedent for School Psychologists being licensed under the State Board of Psychology: Louisiana, New Hampshire, Texas, Virginia, and West Virginia all include specialist level regulatory measures for School Psychologists under their Board of Psychology.

Finally, School Psychologists are already named in title by the Board of Psychology at the doctoral level in [HRS Chapter 465](#). Given that doctoral School Psychologists are eligible for licensure under the Board of Psychology, specialist level School Psychologists are most appropriately licensed there as well. The expansion of the Board to include two School Psychologists would provide the necessary expertise to effectively deliberate the qualifications of applicants resulting from the proposed legislation.

4. School Psychologists belong under the Hawai'i Teacher Standards Board (HTSB)

School Psychologists cannot be regulated by the HTSB unless they are moved from HGEA to HSTA, which may require changes to current labor laws. School Psychologists are currently represented by HGEA under bargaining unit 13 (BU13). Other licensed educators in this unit are currently licensed under the DCCA (Speech-Language Pathologists, Occupational Therapists, Physical Therapists, Clinical Psychologists, and Social Workers).

5. Licensing School Psychologists would negatively impact the Department's ability to fill its vacancies

Licensing School Psychologists would streamline the hiring process for the Department for several reasons. First, it would allow for a faster vetting process which would reduce the current hiring window of 6 months or more. Second, it would allow the Department to bill Medicaid for School Psychologist's services, augmenting its overall budget. Third, the bill provides a two year grace period to allow the Department time to prepare. Fourth, School Psychologists positions would be more competitive because years of service would be transferable.

6. The scope of practice of School Psychology is not clearly defined enough, per the Auditor's report

As noted above under No. 2, Psychologists, Social Workers, Marriage and Family Therapists, Counselors, and Social Workers' auditor reports were inconclusive.

The scope of practice in the proposed legislation is written more narrowly than the current scope of practice for Clinical Psychologists under [HRS, Ch. 465, P. 2](#). And, the NASP Practice Model is a more comprehensive definition of competencies than HRS, Ch. 465 is a definition of the scope of practice for Clinical Psychologists.

Additionally, in the State of Hawai'i, the scope of practice for School Counselors is defined by the performance standards outlined by the American School Counselor Association (ASCA;

[HTSB](#)). Other States have defined the scope of practice of School Psychologists in similar ways using the Practice Model of the National Association of School Psychologists ([Oregon example](#)).

Finally, the proposed legislation is aligned to nationally adopted and recognized standards and language regarding the licensure of School Psychologists.

7. Clinical and Counseling Psychologists are qualified to practice as Schools Psychologists

As noted in No.3 above, Clinical Psychology, Counseling Psychology and School Psychology are specialties of Psychology that were recognized at the same time (1998). Clinical and Counseling Psychology programs lack the K-12 education courses that are required in School Psychology programs. Clinical and Counseling Psychologists practicing as School Psychologists are doing so outside the scope of their training.

8. HB1648/SB958 would violate the protection of the title “Psychologist”

Because School Psychologists are not licensed, title protection violations that have the term “Psychologist” are already happening, as individuals who do not have appropriate training and were not able to obtain licensure to practice Clinical or Counseling Psychology are using the title of and employed by the Department of Education as a School Psychologist. HB1648 would strengthen title protections by expanding them to include “School Psychologist”.

9. The Nationally Certified School Psychologist (NCSP) certification is a sufficient substitute for a School Psychologist license

While it is true that many States will accept an NCSP certification in the place of other application materials to obtain a credential to practice in the State, using an NCSP as the sole criteria for granting licensure and/or hiring of School Psychologists would exacerbate shortages because not all School Psychologists maintain their NCSP. This would prevent appropriately trained School Psychologists that do not maintain their NCSP from being eligible to practice as a School Psychologist in the State.

Testimony Support for HB1648
February 12, 2024

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 for the DOE and an executive board member (Treasurer) 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 potentially cause harm to our keiki. The majority of School Psychologists are either recruited from the mainland, coming in with varying qualifications, whereas others are individuals within the state of Hawaii who have earned a degree in a similar field, such as Counseling, Industrial/Organizational, or Clinical Psychology, hired into School Psychologist positions, even though they have not received adequate 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, as it places our keiki at particular risk for malpractice.

The reason this is problematic is showcased in the Every Student Succeeds Act (ESSA), which recognizes School Psychologists as “specialized instructional support personnel”. School Psychology programs are unique from other mental health programs in their focus on the interpretation of assessment results, formulating educational implications from the results, and then linking those results to effective, research-based interventions that can be implemented in the school setting. School Psychologists also receive specific training in special education law and are trained in the special education eligibility process. They are trained as Psychologists, with the difference between their program and other Psychology programs being that they are specifically trained to practice within the school, rather than clinical setting. Although any mental health professional can be trained to administer assessments, the interpretation can be very problematic for those who are not trained, yet placed into a School Psychologist position, and this can produce damaging consequences for students. For instance, I was 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 most 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 support the overall operating budget of the department.

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. 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 the implementation of a credentialing process.

Mahalo for your consideration.

Respectfully submitted,

A handwritten signature in black ink that reads "Amanda Garrett". The signature is written in a cursive, flowing style.

Amanda Garrett, Psy.D., NCSP
Nationally Certified School Psychologist
Treasurer of the Hawaii Association of School Psychologists (HASP)

Testimony Support for HB1648
February 12, 2024

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, School Psychologists work with parents, educators, teachers, and other professionals to create supportive learning and social environments for all children. As a practicing School Psychologist for the DOE and a member of the legislative committee for 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.

First and foremost, having no credentialing requirements may potentially result in unqualified individuals working in School Psychologist positions, which could potentially cause harm to our keiki. This means that individuals within the state of Hawaii who have earned a degree in a similar field, such as Counseling, Industrial/Organizational, or Clinical Psychology, are hired into School Psychologist positions, even though they have not received adequate training to work 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, as it places our keiki at particular risk for malpractice.

The reason this is problematic is showcased in the Every Student Succeeds Act (ESSA), which recognizes School Psychologists as “specialized instructional support personnel”. School Psychology programs are unique from other mental health programs in their focus on the interpretation of assessment results, formulating educational implications from the results, and then linking those results to effective, research-based interventions that can be implemented in the school setting.

School Psychologists also receive specific training in special education law and are trained in the special education eligibility process. They are trained as Psychologists, with the difference between their program and other Psychology programs being that they are specifically trained to practice within the school, rather than clinical setting. Although any mental health professional can be trained to administer assessments, the interpretation can be very problematic for those who are not trained, yet placed into a School Psychologist position, and this can produce damaging consequences for students.

For example, a student who has not had appropriate research-based interventions implemented prior to special education, might be made eligible by an unqualified clinician who has not had the university training in pre-referral interventions, such as School Psychologists receive in their graduate studies. This student might have been ablaze to succeed educationally without the need for special education services with the correct response to intervention efforts made by the team

and implemented by School Psychologists. 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 most 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 support the overall operating budget of the department.

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. 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 and we have received 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 the implementation of a credentialing process.

Mahalo for your consideration.

Sincerely,

Traci Effinger, M.S., NCSP
Nationally Certified School Psychologist

HB-1648-HD-1

Submitted on: 2/13/2024 1:35:46 PM

Testimony for CPC on 2/13/2024 2:05:00 PM

| Submitted By | Organization | Testifier Position | Testify |
|------------------------|---------------------|---------------------------|------------------------|
| Sean W. Scanlan, Ph.D. | Individual | Support | Written Testimony Only |

Comments:

Aloha. My name is Sean Scanlan, Ph.D., and I am strongly in favor of this bill, especially the parts that remove the barriers for recent PsyD graduates. As the Program Director of the Chaminade PsyD Program (and also a licensed clinical psychologist and the President of the Hawai'i Psychological Association), I've seen the barriers that our graduates have to face, barriers that do not exist in other states. I've seen how our graduates move to the continent to take advantage of those licensing laws and never come back. I'd really like to keep our graduates in-state, so that they can continue to service the local populations in which they were trained. Mahalo for your consideration.