



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

Date: 01/26/2024

Time: 01:00 PM

Location: CR 225 & Videoconference

Committee: Senate Health and Human
Services

Department: Education

Person Testifying: Keith T. Hayashi, Superintendent of Education

Title of Bill: SB 0958 RELATING TO SCHOOL 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 7/1/2025. Increases the composition of the board of psychology to include two school psychologists.

Department's Position:

The Hawaii State Department of Education (Department) respectfully provides comments on SB 0958.

The Department supports the intent of this bill, however, there may be significant impact on current staff as all existing school psychologist employees may not be able to meet requirements by July 1, 2025. According to the National Association of School Psychologist (NASP) site, only 32% of current staff are Nationally Certified School Psychologist (NCSP) credentialed, one of the proposed pathways to licensure. To ensure the continuation of services for students, either grandfather clauses or training pathways would need to be established for the potentially 66% of employees who currently qualify as Department School Psychologists, but may not meet newly established requirements.

Regarding "Without licensing, the State cannot ensure that functioning school psychologists are properly qualified and delivering appropriate services." referenced in paragraph two (2) lines 10 to 12, the Department utilizes a yearly performance appraisal system for all employees. Regarding "the State is unable to seek reimbursements from

the federal medicaid program for the use of school psychologists in an educational setting” referenced in paragraph two (2) lines 14 to 16, school psychologists are included in the Department’s administrative reimbursements.

Additionally, Senate Concurrent Resolution No. 122, Senate Draft 1 adopted by the 2022 Legislature directed the Office of the Auditor to assess whether the regulation of school psychologists proposed through Senate Bill No. 1274 (2021 Regular Session) was supported by the State’s policy regarding professional and vocational licensure. It was determined that regulation as proposed did not sufficiently define the practice of school psychology to allow the Auditor to assess the proposal.” (Source: Report No. 22-13 Sunrise Analysis: Regulation of School Psychologists).

Without a determination, the Department respectfully requests an opportunity to collaborate with the Department of Commerce and Consumer Affairs (DCCA) and Hawaii Government Employees Association (HGEA) on the development of appropriate credentialing, rather than licensure, and associated regulation of this professional group.

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

Testimony of the Board of Psychology

**Before the
Senate Committee on Committee Health and Human Services
Friday, January 26, 2024
1:00 p.m.
Conference Room 225 and Videoconference**

**On the following measure:
S.B. 958, RELATING TO SCHOOL PSYCHOLOGY**

Chair San Buenaventura and Members of the Committee:

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

The purposes of this bill are to: (1) establish licensure requirements for school psychologists to be administered by the Board; (2) require all school psychologists to be licensed by 7/1/2025; and (3) increase the composition of the Board to include two school psychologists.

The Board will review this bill at its scheduled meeting on February 9, 2024, after which, the Board can provide the Committee with its position. In the meantime, please accept the following comments by the Board Committee:

- The Board has consistently maintained a position against integrating school psychologist-specialists into the Board's regulatory responsibilities and composition.
- For the regulation of school psychologists, the Board has steadily recommended alternative licensing schemes such as that which can be found in the language of S.B. 818, S.D. 2, H.D. 1, which was considered during the 2019 legislative session. S.B. 818, S.D. 2, H.D. 1, placed the licensure and regulation of school psychologists under the Hawaii Teacher Standards Board (HTSB), while exempting from licensure under Hawaii Revised Statutes (HRS) chapter 465 school psychologists who are employed by an educational institution and practice only within a school setting. In other states, the regulation of school psychologists who hold master's level school psychology degrees, either

through credentialing, certification, or licensure, is as follows: forty-one (41) states regulate school psychologists within their department of education or equivalent; two (2) within their department of health; and four (4) states credential, certify, or license school psychologists under their board of psychology. The HTSB currently licenses counselors in the Department of Education (DOE) and charter schools.

- Regarding the Board's composition, the Board Committee continues to feel that the addition of two school psychologists who lack the equivalent level of training in clinical and counseling psychology will not allow the Board to adequately evaluate the credentials of applicants for licensure at the doctoral level in clinical and counseling psychology. Further, 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 for becoming a "nationally certified school psychologist." The majority of the Board's members are not school psychologists, nor do they have the relative expertise with school systems and professional practice in a school setting that an HTSB board member would likely have.
- The Board Committee continues to have concerns regarding language included on page 10, lines 18 to 21, which 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 holds itself to be the sole authority on the licensure, regulation, and public protection of psychologists and thus believes the language should be "*may* consider the advice of the public, including professional associations promoting the profession," to properly reflect and retain the Board's legal authority.
- The Board Committee also has strong concerns 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. Based on the current language, it is not clear whether a psychologist currently licensed under HRS chapter 465 would be required to obtain additional licensure as a school psychologist as well to practice within that scope. For example, page 9, lines 1 to 17, provides a description of services that psychologists who are currently licensed under HRS chapter 465 are trained to do, which appears to exclude doctoral-level clinical psychologists.

- The Committee has additional general concerns regarding the potential restriction of a licensed psychologist's scope of practice. HRS section 465-1 defines "Psychologist" to mean:

[A] person who offers to the public or renders to individuals or to groups of individuals services defined as the practice of psychology. A person represents to be a psychologist if the person uses any title or description of services incorporating the words "psychology," "psychological," "psychologist," or "psychotherapy," or if the person offers or renders to individuals or to groups of individuals services defined as the practice of psychology.

In the State Auditor's (Auditor) 1987 sunset evaluation of HRS chapter 465, it was noted that the title "certified psychologist" was a protected term. Only those licensed under HRS chapter 465 could be called a certified psychologist. In 1971, the term was generalized to "Psychologist" and exemptions were created. If the legislative intent was to protect the term "psychologist," it seems that the definition of "school psychologist" on page 5, lines 7 to 13 violates the current definition of "psychologist" as defined in HRS section 465-1. The term "school psychologist-specialist" is concerning as the term "psychologist" is already used by those with doctoral degrees currently licensed under HRS chapter 465, who have a vested interest in the protection of that term. If this measure's intent is to provide a pathway to licensure for those trained in school psychology, but who cannot meet the current requirements for licensure under HRS chapter 465, it should be made clear how the terms "psychologist" and "school psychologist," would possibly conflict with each other if this measure is

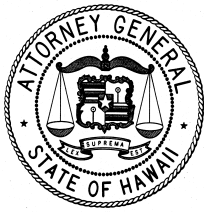
passed in its current form. It was testimony of the Board of Psychology noted by the Auditor in the Sunrise Analysis: Regulation of School Psychologists, Report No. 22-13, that the definition of the “practice of school psychology” in S.B. 1274 (2021), which is the exact language in H.B. 1116, page 4, line 19 to page 5, line 6:

[D]oes not sufficiently define the practice of school psychology that the Legislature proposes to regulate; it does not describe the work or type of work for which individuals will be required to obtain a state-issued license to perform. Without a clear definition of the practice of school psychology, we are unable to assess the proposed regulation against the criteria in Section 26H-2, HRS, to determine whether the regulation of school psychologists is consistent with state policy.

- If the Committee is inclined to pass this bill, the Board Committee and the Professional Vocational Licensing Division (Division) respectfully request amending the effective date to July 1, 2027, to provide time to: (1) update the Division’s database with this new license type; (2) create a new method of licensure and the related license codes; (3) create new application forms; (4) promulgate rules; and (5) work with the Governor’s Boards and Commissions office to find two eligible school psychologists who are qualified to serve on the Board. The Committee also notes that these changes will both require general fund seed money in order to complete these tasks and to establish the new license types. The Division will also be required to hire further staff to administrate the chapter and its new license types.
- Finally, the Board Committee notes that it is unclear whether this bill would allow school psychologists to meet the criteria for Medicaid reimbursement or if further amendments to the state’s Medicaid plan would be required. This information, which is typically provided in a sunrise analysis, is absent since the Auditor could not determine whether the regulation of school psychologists are consistent with State policy based on the definition of “the practice of psychology.” Currently, most states receive Medicaid reimbursements for school psychologists through

licensure in their departments of education, which is the method by which the majority of states currently license or credential school psychologists with master's level education and training.

Thank you for the opportunity to testify on this bill.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
KA 'OIHANA O KA LOIO KUHINA
THIRTY-SECOND LEGISLATURE, 2024**

ON THE FOLLOWING MEASURE:

S.B. NO. 958, RELATING TO SCHOOL PSYCHOLOGY.

BEFORE THE:

SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

DATE: Friday, January 26, 2024 **TIME:** 1:00 p.m.

LOCATION: State Capitol, Room 225 & Videoconference

TESTIFIER(S): Anne E. Lopez, Attorney General, or
Andrew I. Kim or Bryan C. Yee, Deputy Attorneys General

Chair San Buenaventura and Members of the Committee:

The Department of the Attorney General provides the following comments on this bill.

This bill establishes licensure requirements for school psychologists to be administered by the board of psychology.

This bill may contain an unlawful delegation of legislative power by incorporating future third-party publications into the statute. Page 4, line 19 to page 5, line 5, provides: “‘Practice of school psychology’ means the application of principles, methods, and procedures of measurement, prediction, evaluation, testing, counseling, consultation, and instruction related to, and consistent with, the national standards articulated by the most current Model for Comprehensive and Integrated School Psychological Services, as published by the National Association of School Psychologists or its successor, in a school setting.” (emphasis added). Page 5, lines 7-12 provides: “‘School psychologist’ means a person licensed by the board who engages in the practice of school psychology consistent with the national standards articulated by the most current Model for Comprehensive and Integrated School Psychological Services as published by the National Association of School Psychologists or its successor.” (emphasis added). Included in the qualifications for school psychologists at page 6, lines 17-20, is the requirement: “Has passed the School Psychology Praxis examination with a minimum score of one hundred forty-seven or the most current standard of the National Association of School Psychologists

. . . .” (emphasis added). Allowable services at page 9, lines 10-17, include the requirement that: “Services delivered pursuant to this section are articulated under the domains of the National Association of School Psychologists’ Model for Comprehensive and Integrated School Psychological Services, as may be amended, which represents the National Association of School Psychologists’ official policy regarding the delivery of school psychological services and the ethical standards developed and published by the National Association of School Psychologists. (emphasis added).

As currently drafted, this bill would incorporate future hypothetical changes made by a third party into the law. This empowerment of private persons to dictate the substance of the law may be invalid as an unlawful delegation of legislative power. See State v. Christie, 70 Haw. 158, 171, 766 P.2d 1198, 1205 (1988) (“legislation empowering ‘private persons to decide what the law shall be’ may be invalid.”); cf. State v. Tengan, 67 Haw. 451, 463, 691 P.2d 365, 373 (1984) (“state legislation which adopts by reference *future* legislation, rules, or regulations, or amendments thereof, which are enacted, adopted, or promulgated by another sovereign entity, [would constitute] an unlawful delegation of legislative power.”).

Accordingly, we recommend revising the above phrases as follows:

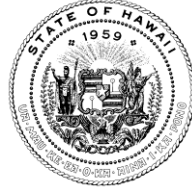
- On page 4, line 19 to page 5, line 5: “‘Practice of school psychology’ means the application of principles, methods, and procedures of measurement, prediction, evaluation, testing, counseling, consultation, and instruction related to, and consistent with, the national standards articulated by the [~~most current~~] Model for Comprehensive and Integrated School Psychological Services (2020), as published by the National Association of School Psychologists [~~or its successor~~], in a school setting[~~;~~], or as may be provided by the board by rule.”
- On page 5, lines 7-12: “‘School psychologist’ means a person licensed by the board who engages in the practice of school psychology consistent with the national standards articulated by the [~~most current~~] Model for Comprehensive and Integrated School Psychological Services (2020) as published by the National Association of School

Psychologists [~~or its successor.~~] or as may be provided by the board by rule.”

- On page 6, lines 17-20: “Has passed the School Psychology Praxis examination with a minimum score of one hundred forty-seven or the [~~most current standard of~~] standard set by the National Association of School Psychologists[;] or the board by rule; or”.
- On page 9, lines 10-17: “Services delivered pursuant to this section are articulated under the domains of the National Association of School Psychologists’ Model for Comprehensive and Integrated School Psychological Services [~~, as may be amended,~~] (2020), which represents the National Association of School Psychologists’ official policy regarding the delivery of school psychological services and the ethical standards developed and published by the National Association of School Psychologists[;], or as may be provided by the board by rule.”

Including provisions that would allow revision through agency rule-making as updates to the applicable publications become available would obviate the need for future legislation.

Thank you for the opportunity to offer comments.



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Testimony of the Department of Commerce and Consumer Affairs

Before the
Senate Committee on Health and Human Services
Friday, January 26, 2024
1:00 p.m.
Conference Room 225 and Videoconference

On the following measure:
S.B. 958, RELATING TO SCHOOL PSYCHOLOGY

WRITTEN TESTIMONY ONLY

Chair San Buenaventura and Members of the Committee:

My name is Ahlani Quiogue, and I am the Licensing Administrator of the Department of Commerce and Consumer Affairs' (Department) Professional and Vocational Licensing Division. I apologize for not being able to attend this hearing due to a conflicting meeting. The Department offers comments on this bill.

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

Similar to the testimony provided for S.B. 2281, S.D. 2, H.D. 1, Relating to Psychology (2022) and H.B. 1116, Relating to Relating to School Psychology (2023), the Department believes it is imperative to note the following concerns regarding this draft of the bill:

- (1) Page 6, line 6 to page 7, lines 1 to 13: sets forth eligibility for school psychologist licensure that provides for two tracks: (a) completion of degree, internship hours, and passage of an examination, or (b) holding a current unencumbered certificate as a nationally certified school psychologist or a valid license or credential in school psychology; provided that for those employed as a school psychologist in Hawaii as of July 1, 2023, an out-of-state license or credential that has expired for not more than ten years from July 1, 2023 shall also be accepted.

The Department has strong concerns about issuing a license based on expired licensure or credentials. Licensure or credentials may be expired for a variety of reasons some of which may be innocuous but some more serious. Hawaii State licensure is indicia that the State has vetted the professional for purposes of consumer protection. If the Legislature is inclined to pass this measure, the Department recommends that some other mechanism for authorizing continued practice of these individuals be provided such as a limited “grandfather” clause or exemption from licensure.

- (2) Page 9, lines 1 to 17, creates a new section called “Description of services.”

The section defines practice of school psychology if the person delivers service to children and students from birth through college who are eligible to be enrolled in educational and intermediate educational units, special education programs, universities and colleges, early intervention programs, developmental centers, and approved private schools. Also, the section provides that school psychologists are limited to practicing within these settings, and licensure does not allow for private practice. The Department has concerns that this section is unclear. Terms such as “educational and intermediate educational units,” “special education programs,” “universities and colleges,” and “early intervention programs” are not defined. The term “developmental center” is defined in the bill, but includes the term “developmentally appropriate,” which is not defined.

The Department recommends that “eligible to be enrolled” on page 9, line 4 be defined.

In addition, the term “private practice” is not defined, and it is not clear whether private practitioners are exempted from licensure or precluded from practice. Also, as currently drafted, private practice could be interpreted to apply to professionals that provide services by contract.

- (3) Page 9, lines 18 to 21 continued to page 10, lines 1 to 17, provides for title protection for use of the title “licensed school psychologist” or “school psychologist,” and establishes fines for violations of the section. This may be in direct conflict with HRS chapter 465 and/or Hawaii Administrative Rules chapter 16-98.

Also, the draft references school psychology interns or school psychology practicum students; this draft lacks any guidance on supervision requirements for students and interns, scope of practice of students and interns, documentation requirements, and limits on delegation.

- (4) Page 10, lines 18 to 21, requires that the Board of Psychology receive advice and review proposals from the Hawaii Association of School Psychologists. The Department recommends that this section undergo legal review to ascertain whether it is consistent with the guidelines for state action immunity set forth in *North Carolina State Board of Dental Examiners v. Federal Trade Commission*, 574 U.S. 494 (2015). The Department recognizes its responsibility for active supervision and is concerned that this section undermines the separation of the Board from the profession that it regulates.
- (5) The Department requests clarification of how the existing language in HRS section 465-13 applies in conjunction with the language of page 11, line 1 to page 13, line 18. Similarly, the Department requests clarification of how the existing HRS 465-3 applies in conjunction with the new exemption section.

Based on the aforementioned reasons, the Department respectfully requests that this bill be held in Committee. However, if the Committee is inclined to pass this

measure out, the Department respectfully requests the following to ensure proper implementation:

1. General fund appropriation to allow the Division:
 - a. To make the appropriate updates to its internal database. The required updates may take upwards of 300-500 support hours to create these new license types and the associated requirements. These hours would be added onto the already extensive daily work of the Division's developer, program analyst, and others outside of the division. Note that these updates would require additional support and maintenance outside of the budget request being made through Department of Commerce and Consumer Affairs' request. The sum of \$75,000 or so much thereof may be necessary to fund this request. The Department would then assess the applicant an appropriate fee to pay back said appropriation to the general fund.
2. Minimally, a delayed implementation date of July 1, 2026, to ensure that the appropriate updates are made to the database and applications are created.

Thank you for the opportunity to testify on this bill.



Hawai'i Psychological Association

For a Healthy Hawai'i

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SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

Senator Joy A. San Buenaventura, Chair

Senator Henry J.C. Aquino, Vice Chair

Hearing: January 26, 2024 - 1:00 P.M.

Room 225 & Videoconference

SB958: Testimony with Comments Supporting the Licensing of School Psychologists; but Opposing their Regulation by the Board of Psychology.

According to 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. 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; however, HPA has some major concerns**, including the absence of NASP-accredited school psychology program in Hawai'i and the challenges of recruitment and retention of school psychologists.

HPA also has serious reservations about this bill's lack of clarity on school psychologists' scope of practice; and on the proposal to change the composition of the Board of Psychology to include school psychologists - as they have very different credentialing requirements.

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 report¹, 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[:]*"

¹ The Auditor's Report is available at this link: <https://files.hawaii.gov/auditor/Reports/2022/22-13.pdf>

- 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.’*”

Thus, should this bill advance, revisions are needed to include a more 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. It does not seem that nationally certified school psychologists are 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. HPA members have expressed strong concerns about school psychologists rendering their opinions regarding licensure of clinical or health service psychologists – as a whole; and of these psychologists rendering opinions regarding the licensure of a specialized subset of the profession which they are not similarly credentialed - school psychologists. This would mean, for example, that someone with a specialist-level degree in school psychology, the practice of which does not include diagnosis and treatment of schizophrenia, depression, or anxiety, e.g., would be considering the eligibility for licensure of a clinical psychology applicant.

While there are compelling and multiple reasons why school psychologists should NOT be licensed by, nor sit on the Board of Psychology, there are NO compelling reasons why they should not be licensed nor have their own board. In the alternative, we recommend instituting a regulatory structure similar to what is in place for Social Workers, and Marriage & Family Therapists.

MEDICAID SERVICES SHOULD BE SPECIFIED

A clarification perhaps most germane to school psychologists’ scope of practice and the state’s Department of Education’s ability to draw federal funds is which of their services are eligible for Medicaid reimbursements. We believe these specific services should be outlined in this proposal to better understand how many and what kinds of children will be impacted by the change. This information would provide some direction as to the most appropriate Board to provide oversight. As noted in testimony from years’ past presented by the Board of Psychology, the vast majority of states license their school psychologists under their educational boards, which seems to be tried and tested models to follow in establishing procedures for Medicaid reimbursement.

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

Sincerely,



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



HAWAI`I YOUTH SERVICES NETWORK

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Director

Network Membership

*Big Brothers Big Sisters Hawai`i
Big Island Substance Abuse
Council*

*Bobby Benson Center
Child and Family Service
Coalition for a Drug-Free Hawai`i
Collins Consulting, LLC
Domestic Violence Action Center
EPIC `Ohana, Inc.*

*Family Programs Hawai`i
Family Support Hawai`i
Friends of the Children's Justice
Center of Maui*

*Get Ready Hawai`i
Hale Kipa, Inc.
Hale `Opio Kaua`i, Inc.
Hawai`i Children's Action
Network*

*Hawai`i Health & Harm
Reduction Center
Hawaii Island Community`
Health Center*

*Ho`ola Na Pua
Ho`okele Coalition of Kaua`i
Ka Hale Pomaika`i
Kahi Mohala*

*Kokua Kalihii Valley
Kaua`i Planning and Action
Alliance*

*Maui Youth and Family Services
Na Pu`uwai Molokai Native
Hawaiian Health Care
Systems*

*P.A.R.E.N.T.S., Inc.
Parents and Children Together
PHOCUSED*

*PFLAG - Kona, Big Island
Planned Parenthood of the
Great Northwest, Hawaii
Alaska, Kentucky, Indiana*

*Residential Youth Services
& Empowerment (RYSE)
Salvation Army Family
Intervention Services*

*Sex Abuse Treatment Center
Susannah Wesley Community
Center
The Catalyst Group*

January 23, 2024

Senator Joy San Buenaventura, Chair
And members of the Committee on Health and Human Services

**TESTIMONY IN SUPPORT OF SB 958 RELATING TO SCHOOL
PSYCHOLOGISTS**

Hawaii Youth Services Network (HYSN) supports SB 958 Relating to School Psychologists.

Following the Maui Wildfire disaster, the need for mental health services and supports for the survivors as well as for children living in other parts of the islands was huge. Because school psychologists are not licensed in Hawaii, they were denied access to the children and their families by the American Red Cross and FEMA. This should not have happened.

National standards call for a qualified mental health profession for every 250 students. Without licensure, it is difficult to fill vacant positions for school psychologists. Our ratio is far below standard.

35% of middle and high school youth in Hawai`i experience persistent depression; 7% of high school and 11% of middle school students in Hawai`i reported having attempted suicide. 23% of middle school students report that their mental health was most of the time or always "not good" in the prior 30 days. Youth mental health issues are a risk factor for high-risk substance use.

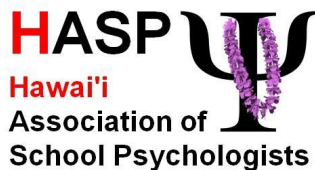
The TeenLink Hawai`i website continues to get 2,000 site visits on average each month. The top topics/pages visited included Suicide; Health and Wellness Toolkit; Sleep; Stress; Mental Health; and Self-Care. A Hawai`i Department of Health report using 2020 data estimates that 11,000 of Hawai`i's youth experienced at least one major depressive episode in the prior year. Of those who experienced a major depressive episode, approximately 6,000 did not receive mental health services in the prior year.

Licensing for school psychologists will help our children's mental health.

Thank you for this opportunity to testify.

Sincerely,

Judith F. Clark
Executive Director



SB958 Credentialing School Psychologists in Hawai'i

Aloha Chair San Buenaventura, Vice-Chair Aquino, 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:

Holly Hoke, NCSP
HASP President

Alec Marentic, NCSP
Chair, HASP Legislation Committee

Common Misunderstandings About Licensing School Psychologists

[HB1648/SB958](#)

1. A Sunrise Analysis is required when expanding a regulatory body to regulate 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.

HRS 26H-6: "The analysis required by this section shall set forth the probable effects of the proposed regulatory measure and assess whether its enactment is consistent with the policies set forth in section 26H-2. The analysis also shall assess alternative forms of regulation. The auditor shall submit each report of analysis to the legislature."

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 should be under their own board rather than the Board of Psychology

School Psychologists are Psychologists. In fact, 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 APAs 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](#)).

Finally, School Psychologists are already named in title by the Board of Psychology at the doctoral level in [HRS Chapter 465](#).

4. School Psychologists should be under the Hawai‘i Teacher Standards Board (HTSB)

This option is only viable if School Psychologists 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).

Additionally, there is precedent for School Psychologists being licensed under the State Board of Psychology: Alabama, California (SEA and Board Credential), Louisiana (SEA and Board Credential), Oklahoma, New Hampshire, Texas, Virginia, West Virginia, and Puerto Rico all include specialist-level School Psychologist regulatory measures under their Board of Psychology. (9 total, including Puerto Rico)

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 2 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.

Additionally, the scope of practice is written more narrowly than the current scope of practice definition 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.

Finally, 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](#)).

7. Doctoral level Clinical Psychologists are qualified to practice under the title of School Psychologist

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 Psychologists practicing as School Psychologists are practicing outside of the scope of their practice.

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.

To: Senate Committee on Health and Human Services
Re: **SB 0958-Relating to School Psychology**

Hawai'i State Capitol, Conference Room 225 & Via Videoconference
Friday January 26, 2026, 1:00 PM

Dear Chair San Buenaventura, Vice Chair Aquino, and Committee Members,

On behalf of HCAN Speaks!, I am writing in support of SB 958, relating to school 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 2025, and increases the composition of the board of psychology to include two school psychologists.

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>



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

RANDY PERREIRA, Executive Director • Tel: 808.543.0011 • Fax: 808.528.0922

The Thirty-Second Legislature, State of Hawaii
The Senate
Committee on Health and Human Services

Testimony by
Hawaii Government Employees Association

January 26, 2024

S.B. 958— RELATING TO SCHOOL PSYCHOLOGY

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO supports the purpose and intent of S.B. 958 which establishes licensing requirements for School Psychologists.

Hawaii remains the only State in the nation without credentialing requirements for School Psychologists. Without proper credentials, individuals with inappropriate training can qualify for and be hired to practice as a School Psychologist for the Department of Education, which places our keiki at particular risk for malpractice. The bill aligns with minimum training requirements as outlined by the National Association of School Psychologists. This would ensure that DOE School Psychologists have all the adequate training and certifications needed to perform their duties and responsibilities at a high level.

Thank you for the opportunity to testify in support of S.B. 958.

Respectfully submitted,

Randy Perreira
Executive Director



HAWAII STATE TEACHERS ASSOCIATION

Teaching Today for Hawaii's Tomorrow

1200 Ala Kapuna Street • Honolulu, Hawaii 96819
Tel: (808) 833-2711 • Fax: (808) 839-7106 • Web: www.hsta.org

Osa Tui, Jr.
President

Logan Okita
Vice President

Lisa Morrison
Secretary-Treasurer

Ann Mahi
Executive Director

TESTIMONY BEFORE THE SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

RE: SB 958 – RELATING TO PSYCHOLOGY

FRIDAY, JANUARY 26, 2024

OSA TUI, JR., PRESIDENT
HAWAII STATE TEACHERS ASSOCIATION

Chair San Buenaventura, and Members of the Committee:

The Hawaii State Teachers Association **supports SB 958**, 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.

Testimony Support for SB958
January 24, 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)

SB-958

Submitted on: 1/24/2024 4:07:32 PM

Testimony for HHS on 1/26/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Keri Anacker	Individual	Support	Written Testimony Only

Comments:

Aloha, My name is Keri and I've been a School Psychologist on island for over 5 years now. I am writing in support of SB958. Here are some important things to consider:

- We are currently the **only** state in the nation without a credential for School Psychs.
- 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
- Licensing School Psychologists will allow the DOE to bill Medicaid for School Psychological services provided by School Psychologists
- Without a licensing board, parents do not have anywhere to take ethical complaints related to malpractice
- 2 prior sunset evaluations (1981 & 1987) concluded psychologists in the State should have proper credentialing. Neither evaluation precluded any specialty fields from their conclusions (such as School Psychology)

I am also writing as the Student and Early Career Committee chair for the Hawai'i Association of School Psychologists. I often answer emails from possible new-hires who are looking to work on island. Some of the questions that get consistently asked include: "How do I get licensed in Hawai'i?" or, "What credential do I need to have to be a School Psych in Hawai'i?" It always saddens me to answer that we are the only state without formal credentialing requirements for School Psychologists. Other states license their SP's under their respective Boards of Psychology; our state should be no different. Our students deserve high quality school psychological services from experts that hold a valid credential in the state.

Thank you for your time and consideration, Keri Anacker

Testimony Support for SB958
January 24, 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 (Report No. 81-6, 1981; Report No. 87-22, 1987).

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

TESTIMONY IN SUPPORT OF SB958

January 24, 2024

Dear Senate Committee on Health & Human Services:

I support SB958, a bill to license school psychologists in the state of Hawaii.

Hawaii remains the only state in the nation without a credential for school psychologists, despite two sunset evaluations conducted on the profession which clarified that all psychologists should be licensed (Report No. 81-6, 1981; Report No. 87-22, 1987). Because Hawaii 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 that school psychologists in Hawaii have proper credentialing. This will ensure that students receive services from highly qualified and licensed professionals.

The training of school psychologists is unique in that we have extensive training in cognitive, academic, social/emotional, behavioral, and adaptive assessment practices, as well as the training to ensure that 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 Hawaii will in turn increase appropriate service delivery to those students most in need.

I am currently completing my 1200 hour internship in school psychology. Upon doing so, I will be licensed in the state of Kansas, where I completed my graduate degrees, but not my home state of Hawaii. I chose this profession because of my dedication to children and our public education system. Accordingly, this bill matters to me because I believe that our profession must be adequately recognized in the state of Hawaii. Without licensure, the state is effectively saying that they do not value or respect the profession, nor do they view our services as important enough to hold its practitioners to rigorous standards. It is embarrassing to be the only state in the country without licensure and it reflects negatively on all those who practice school psychology in Hawaii. By licensing school psychologists, the state of Hawaii will show their commitment to providing schools, students, and their families with high quality school psychological services, which will ultimately benefit the state and its communities as a whole.

It should also be noted that by licensing school psychologists, the Hawaii State Department of Education will be able to bill Medicaid for the services they provide within the schools. This will bring in additional funding which can be used to improve our state education system, which is undeniably important in the present climate where our public school system struggles to obtain adequate funds to address student and staff needs.

Respectfully submitted,

Alexis E. Jamison, M.S., Ed.S.
HASP Treasurer-Elect
School Psychology Intern
Hawaii State DOE – Leeward District

SB-958

Submitted on: 1/25/2024 9:40:48 AM

Testimony for HHS on 1/26/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kari Arneson	Individual	Support	Written Testimony Only

Comments:

School psychologists need to be licensed in the state of Hawai'i. Here are some reasons why: Hawai'i continues to be the only state in the nation without a credential for school psychologists.

- Without a licensing board, parents do not have anywhere to take ethical complaints related to malpractice
- Without a proper credential, individuals who have not received the necessary training can be employed as School Psychologist in Hawai'i
- Licensing School Psychologists allows the DOE to bill Medicaid for services provided by School Psychologists
- Prior sunset evaluations (1981 & 1987) concluded psychologists in the state should have proper credentialing

There are many other reasons that school psychologists should be licensed in the state of Hawai'i, but these remain to be some of the larger more serious reasons. On a personal level licensure in the state of Hawai'i would show me that the state understands and respects our profession, which is of the utmost importance to signify a solid professional standing in the communities that we serve. Licensure would also continue to build community among school psychologists around the state, furthering the profession and the benefit that school psychologists can bring to students around the nation, including the keiki in Hawai'i.

Thank you for your time and consideration,

Kari Arneson

SB-958

Submitted on: 1/25/2024 10:41:32 AM

Testimony for HHS on 1/26/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Kayla Doherty	Individual	Support	Written Testimony Only

Comments:

Each year I continue to support of this bill submitted and do so again because I believe in its necessity. Hawaii is the only state to not have proper licensure for school psychologists in place: It's a disservice to the parents and keiki served, as well as to the school psychologists currently practicing here. Properly licensing school psychologists will finally provide parents an avenue to address specific grievances, if any, as it does not exist in the DOE's current structure. This bill protects parents and keiki from receiving educational support from individuals with similar albeit unsatisfactory experience, which may reduce the culturally inappropriate use of assessments as only school psychologists are properly educated on the implementation of these assessments. I hope this bill finds full support from the psychology community, the DOE, and our state representatives who have a hand in shaping the future of school psychologists in this state. Supporting school psychologists is supporting our keiki.

January 25, 2024

Aloha Board Members,

As a nationally credentialed School Psychologist, who has served both in Hawaii and in another state, I am writing to express the importance of implementing a credentialing system for School Psychologists within the Department of Education (DOE).

For several years, I have written testimony in support of this bill because I believe it is crucial to the future of our schools. The term "school" is embedded within our job title, which underscores our specialization and the unique contributions we make to the educational environment. Our expertise is tailored to support the academic, social, emotional, and behavioral success of students within the school setting. A task that requires specific, ongoing professional development and a deep understanding of the educational system.

In Hawaii, we rightly acknowledge our teachers and other educators by providing credentialing and recognizing their qualifications. However, by not extending this credentialing to School Psychologists, we are neglecting a vital component of the educational team. It truly takes a community to support our children, and School Psychologists are an integral part of that community.

Credentialing School Psychologists ensures that our keiki are served by professionals who are not only qualified but also required to maintain their expertise through professional development. As someone who has met the national standard of 75 professional development credits every three years, I can attest to the value this brings to the services provided to students. Yet, in our current system, those who are not credentialed, and may not even be school psychologists by training, are not held to this standard, which is a disservice to our students.

The financial benefits of credentialing are also significant, as it would enable the DOE to bill Medicaid for School Psychological services. This would support the overall operating budget of the Department and enrich the resources available to our schools.

With the Every Student Succeeds Act (ESSA) recognizing School Psychologists as "specialized instructional support personnel" and all other states already licensing their School Psychologists under their respective Boards of Psychology, it is time for Hawaii to align with these practices. The proposed bill is consistent with the National Association of School Psychologists (NASP) guidelines, ensuring that our credentialing process meets the highest national standards.

I have advocated for this cause in the past and continue to do so because I believe in the value of our profession and the need for Hawaii to provide the best for its students. Credentialing School Psychologists is a step toward professional accountability, financial responsibility, and the highest quality of educational and psychological services.

Thank you for considering my testimony on this critical issue and supporting SB958.

Sincerely,

Jenna Maiorano, M.A., CAGS, NCSP
School Psychologist
Aiea-Moanalua-Radford Complex Area
808-225-2631

SB-958

Submitted on: 1/25/2024 12:34:50 PM

Testimony for HHS on 1/26/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Melissa L Dawson	Individual	Support	Written Testimony Only

Comments:

I am writing this testimony in support of SB958. I was born and raised here in Hawaii and moved away during college. I have been working as a School Psychologist on the mainland since 1994 and have recently returned home. As someone who has worked in this field on the mainland and now here, the differences between how the role of the School Psychologist is perceived and valued is very surprising. Most School Psychologists have credentials and licenses which ensures that only highly trained professionals are hired to work with our most valuable and precious asset, our keiki and their ohana. Without a proper credential, individuals with inappropriate training can qualify for and be hired to practice as a School Psychologist for the Department of Education, which places our keiki at particular risk for malpractice. Not only that, but credentialing School Psychologists will allow the DOE to bill Medicaid for services which will provide additional financial resources to the department. The Every Student Succeeds Act explicitly recognizes School Psychologists as “specialized instructional support personnel”. Finally, the language of the bill is written to be aligned with the minimum training requirements as outlined by the National Association of School Psychologists. I hope you consider these points in your decision making as there is nothing more important to me than the development and education of our keiki and this bill will significantly impact the DOE's ability to provide highly trained School Psychologists to service and support their students, staff, and families.

Mahalo -

Melissa Dawson

SB-958

Submitted on: 1/25/2024 12:36:43 PM

Testimony for HHS on 1/26/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Casey Dupart	Individual	Support	Written Testimony Only

Comments:

I am writing to express my strong support for the initiative to establish a credential for School Psychologists in the state of Hawai'i. As a concerned community member and advocate for the well-being of our keiki, I believe this credential is an essential step to ensure the highest standards of care and support for our students.

I am an experienced school psychologist and K12 administrator. Throughout my time in Hawai'i, I have encountered significant obstacles with the Hawaii State Department of Education, specifically their reluctance to recognize my K12 administrator license, despite my previous licensure in Utah and my extensive professional background at the administrative level in that state.

Moreover, I have confronted unwarranted challenges in securing roles within the Hawaii educational system, even in instances where my candidacy was personally endorsed by a Complex Superintendent. It is essential to note that, despite the reciprocity requirement outlined in the Military Spouse Licensing Relief Act these difficulties have not only impeded my professional advancement but have also prompted concerns regarding the fair and impartial treatment of licensed professionals within the state.

Currently, the absence of a proper credentialing process leaves open the possibility for individuals with inadequate training to be hired as School Psychologists within the Department of Education. This poses a significant risk to the well-being of our keiki, as those lacking appropriate qualifications may inadvertently engage in practices that fall short of the necessary standards, potentially resulting in malpractice.

Credentialing School Psychologists is not only a protective measure for our students but also an opportunity to enhance the overall educational support system. By establishing a credential, the Department of Education would be eligible to bill Medicaid for School Psychological services. This additional revenue stream would contribute to the operating budget of the Department, allowing for the allocation of resources to better meet the diverse needs of our students.

Moreover, the importance of School Psychologists is explicitly recognized in the Every Student Succeeds Act as "specialized instructional support personnel." This acknowledgment underscores the critical role these professionals play in fostering a positive and conducive learning environment for students.

Numerous other states have successfully implemented licensure for School Psychologists under the purview of their respective Boards of Psychology. This practice has proven effective in upholding standards of competence, ethical conduct, and ongoing professional development within the field.

The language of the proposed bill aligns with the minimum training requirements established by the National Association of School Psychologists, ensuring that credentialed professionals possess the necessary skills and knowledge to address the unique psychological and educational needs of students.

In conclusion, I strongly urge your support for the establishment of a credential for School Psychologists in Hawai'i. This step is not only a safeguard for our keiki but also a strategic move to enhance the quality of educational support services and contribute to the overall success of our students.

Thank you for your time and consideration of this crucial matter.

Sincerely,

Casey Dupart, PsyD, BCBA, CCTP

SB-958

Submitted on: 1/25/2024 12:51:16 PM

Testimony for HHS on 1/26/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Bonnie Anacker	Individual	Support	Written Testimony Only

Comments:

Please support passage of SB958

SB-958

Submitted on: 1/25/2024 3:00:12 PM

Testimony for HHS on 1/26/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Cards Pintor	Individual	Support	Written Testimony Only

Comments:

Aloha,

I support this bill.

Mahalo nui,

Cards Pintor

SB-958

Submitted on: 1/25/2024 10:06:40 AM

Testimony for HHS on 1/26/2024 1:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Sohee Ki	Individual	Oppose	Written Testimony Only

Comments:

As a resident psychiatrist, I strongly oppose this bill. Psychologists do NOT have, by any means, an equivalent knowledge base and experience as psychiatrists. Passing this bill would jeopardize the safety of our patients, most of whom are already a marginalized population.