

STAND. COM. REP. NO. 483

Honolulu, Hawaii

FEB 17 2023

RE: S.B. No. 322
S.D. 1

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

Sir:

Your Committee on Health and Human Services, to which was referred S.B. No. 322 entitled:

"A BILL FOR AN ACT RELATING TO THE INTERSTATE LICENSED PROFESSIONAL COUNSELORS COMPACT,"

begs leave to report as follows:

The purpose and intent of this measure is to adopt the Interstate Licensed Professional Counselors Compact.

Your Committee received testimony in support of this measure from the United States Department of Defense, Hawaii Medical Service Association, and Hawaii Association of Health Plans. Your Committee received testimony in opposition to this measure from the Department of Commerce and Consumer Affairs and Hawai'i Counselors Association. Your Committee received comments on this measure from the Hawaii Association for Justice, Grassroot Institute of Hawaii, and one individual.

Your Committee finds that there is a shortage of mental health service providers in the State, particularly in rural and underserved communities. According to the Department of Health, approximately eleven thousand youth in the State had a major depressive episode in 2019, yet only half received mental health services. To increase access to these services, this measure adopts the Interstate Licensed Professional Counselors Compact.



Your Committee notes the concerns raised by the Department of Commerce and Consumer Affairs that the State's licensure requirements do not fulfill those of the Compact, and the Department is unable to share confidential information required by the Compact. Further, additional analysis is required to determine the Compact's financial and operational impact on the Department. Your Committee also notes, per the testimony submitted by the Hawaii Association for Justice, that this measure, as currently written, grants broad immunity to officers or employees who render aid pursuant to the Compact and leaves no legal recourse for individuals who may be harmed. Your Committee respectfully requests your Committees on Commerce and Consumer Protection and Ways and Means to consider these concerns, should they choose to deliberate on this measure.

Accordingly, your Committee has amended this measure by:

- (1) Requiring the Department of Commerce and Consumer Affairs to adopt rules to implement and administer the Interstate Licensed Professional Counselors Compact;
- (2) Inserting an effective date of December 31, 2050, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 322, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 322, S.D. 1, and be referred to your Committees on Commerce and Consumer Protection and Ways and Means.

Respectfully submitted on
behalf of the members of the
Committee on Health and Human
Services,

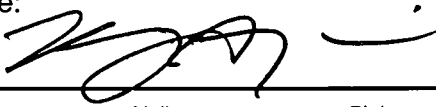


JOY A. SAN BUENAVENTURA, Chair



The Senate
 Thirty-Second Legislature
 State of Hawai'i

Record of Votes
Committee on Health and Human Services
HHS

Bill / Resolution No.:* <i>SB 322</i>	Committee Referral: <i>HHS, CPN/WAM</i>	Date: <i>2/10/23</i>		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
AQUINO, Henry J.C. (VC)	✓			
MORIWAKI, Sharon Y.	✓			
SHIMABUKURO, Maile S.L.	✓			
AWA, Brenton			✓	
TOTAL	<i>4</i>		<i>1</i>	
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes