

# SB40 SD1

Measure Title: RELATING TO LICENSING.

Report Title: Licensing; Practice of Behavior Analysis; Behavior Analysts; Assistant Behavior Analysts; Behavior Analysis Program

Description: Establishing the behavior analysis program within the department of commerce and consumer affairs. Establishes licensing requirements for behavior analysts and assistant behavior analysts. (SD1)

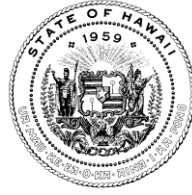
Companion:

Package: None

Current Referral: CPN

Introducer(s): ENGLISH

<u>Sort by Date</u>		Status Text
1/22/2015	S	Introduced.
1/22/2015	S	Passed First Reading.
1/22/2015	S	Referred to CPN.
2/11/2015	S	The committee(s) on CPN will hold a public decision making on 02-11-15 10:15AM in conference room 229.
2/11/2015	S	The committee(s) on CPN recommend(s) that the measure be PASSED, WITH AMENDMENTS and be recommitted. The votes in CPN were as follows: 4 Aye(s): Senator(s) Baker, Taniguchi, Kahele, Wakai; Aye(s) with reservations: none ; 0 No(es): none; and 3 Excused: Senator(s) Kidani, Nishihara, Slom.
2/12/2015	S	Reported from CPN (Stand. Com. Rep. No. 139) as amended (SD 1), with recommendation of recommittal to CPN.
2/12/2015	S	Report adopted, as amended (SD 1) and recommitted to CPN.
2/13/2015	S	The committee(s) on CPN has scheduled a public hearing on 02-18-15 9:30AM in conference room 229.



DAVID Y. IGE  
GOVERNOR

SHAN S. TSUTSUI  
LT. GOVERNOR

**STATE OF HAWAII  
OFFICE OF THE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

335 MERCHANT STREET, ROOM 310  
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CATHERINE P. AWAKUNI COLÓN  
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI  
DEPUTY DIRECTOR

**PRESENTATION OF THE PROFESSIONAL AND  
VOCATIONAL LICENSING DIVISION**

**TO THE SENATE COMMITTEE ON  
COMMERCE AND CONSUMER PROTECTION**

**TWENTY-EIGHTH LEGISLATURE  
Regular Session of 2015**

Wednesday, February 18, 2015  
9:30 a.m.

**TESTIMONY ON SENATE BILL NO. 40, S.D. 1, RELATING TO LICENSING.**

TO THE HONORABLE ROSALYN H. BAKER, CHAIR,  
AND MEMBERS OF THE COMMITTEE:

My name is Celia Suzuki, Licensing Administrator for the Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs ("Department"). The Department appreciates the opportunity to submit testimony on Senate Bill No. 40, S.D. 1, Relating to Licensing.

The purpose of Senate Bill No. 40, S.D.1 is to establish the Behavior Analysis Program within the Department of Commerce and Consumer Affairs, as well as to establish licensing requirements for behavior analysts and assistant behavior analysts.

Senate Bill No. 40, S.D. 1 creates a new chapter to regulate behavior analysts and assistant behavior analysts. Section 26H-6, Hawaii Revised Statutes (“HRS”), requires that new regulatory measures being considered for enactment be referred to the State Auditor for a sunrise analysis. Referral is required to be made by concurrent resolution that identifies a specific legislative bill to be analyzed. The statute further requires that the analysis shall set forth the probable effects of regulation, assess whether its enactment is consistent with the legislative policies of the Hawaii Regulatory Licensing Reform Act, and assess alternative forms of regulation.

Therefore, this bill should be deferred until a sunrise analysis on this measure is conducted by the Auditor. However, should this bill advance, we request that three placeholder provisions be included, which relate to additional manpower and funding the need for which the Department foresees should such a bill pass:

1) Add a new section amending HRS § 26H-4 to read: “**§26H-4 Repeal dates for newly enacted professional and vocational regulatory programs.** (a) Any professional or vocational regulatory program enacted after January 1, 1994, and listed in this section shall be repealed as specified in this setion. The auditor shall perform an evaluation of the program, pursuant to section 26H-5, prior to its repeal date.

(b) Chapter 466D (respiratory therapists) shall be repealed on June 30, 2016.

(c) Chapter 436H (athletic trainers) shall be repealed on June 30, 2018.

(d) Chapter (behavior analysts) shall be repealed on June 30 ”.

2) Add a new section to read: “The department of commerce and consumer affairs may employ necessary personnel without regard to chapter 76, Hawaii Revised Statutes, to assist with the implementation and continuing functions of this chapter.”

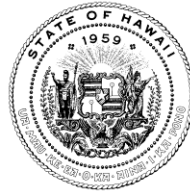
3) Add a new section to read: “There is appropriated out of the compliance resolution fund established pursuant to section 26-9(o) the sum of \$ \_\_\_\_\_ or so much thereof as may be necessary for fiscal year 2016 to implement the behavior analyst program. The sum appropriated shall be expended by the department of commerce and consumer affairs for the purposes of this Act.”

Similarly, language concerning the deposit of fees beginning on page 5, line 18 and ending on page 6, line 2, should be amended with the following language: “§ -5 **Fees; disposition.** (a) Upon the issuance of a new license and at each license renewal period, each behavior analyst or assistant behavior analyst shall pay, in addition to the license fee or renewal fee, a surcharge of \$\_\_\_\_\_, which shall be maintained in a separate account within the compliance resolution fund established pursuant to section 26-9(o), Hawaii Revised Statutes. At the end of each quarter, the moneys contained in the separate account established pursuant to this section shall be transferred to the compliance resolution fund until such time that the total transferred amounts equal the amount appropriated in section \_\_\_\_\_ of this Act. Thereafter, no surcharge shall be assessed, and any funds in excess of the amount appropriated in section \_\_\_\_\_ of this Act shall be deposited into the compliance resolution fund.”

We also request for a delayed implementation date of at least one year to ensure that this new regulatory scheme is appropriately laid out.

Testimony on Senate Bill No. 40, S.D. 1  
February 18, 2015  
Page 4

Thank you for the opportunity to provide comments on Senate Bill No. 40,  
S.D. 1.



DAVID Y. IGE  
GOVERNOR

SHAN S. TSUTSUI  
LT. GOVERNOR

**STATE OF HAWAII  
OFFICE OF THE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS**

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CATHERINE P. AWAKUNI COLÓN  
DIRECTOR

JO ANN M. UCHIDA TAKEUCHI  
DEPUTY DIRECTOR

**PRESENTATION OF  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
REGULATED INDUSTRIES COMPLAINTS OFFICE**

**TO THE SENATE COMMITTEE ON  
COMMERCE AND CONSUMER PROTECTION**

**TWENTY-EIGHTH STATE LEGISLATURE  
REGULAR SESSION, 2015**

**WEDNESDAY, FEBRUARY 18, 2015  
9:30 A.M.**

**TESTIMONY ON SENATE BILL NO. 40 S.D.1  
RELATING TO LICENSING**

**TO THE HONORABLE ROSALYN H. BAKER, CHAIR,  
AND TO THE HONORABLE BRIAN T. TANIGUCHI, VICE CHAIR,  
AND MEMBERS OF THE COMMITTEE:**

The Department of Commerce and Consumer Affairs ("Department") appreciates the opportunity to testify on Senate Bill No. 40 S.D.1, Relating to Licensing. My name is Daria Loy-Goto, Complaints and Enforcement Officer for the Department's Regulated Industries Complaints Office ("RICO"). RICO offers the following comments on the bill, with suggested amendments.

Senate Bill No. 40 S.D.1 establishes licensing requirements for behavior analysts and assistant behavior analysts by the Department. The bill also sets forth conduct that would give rise to disciplinary action.

RICO concurs with the Department's Professional and Vocational Licensing Division that §26H-6, Hawaii Revised Statutes ("HRS"), would require a sunrise analysis by the Auditor prior to the regulation of any previously unregulated profession or vocation, as proposed in Senate Bill No. 40 S.D.1. RICO also defers to the Department's Professional and Vocational Licensing Division on the licensing provisions in the bill, but has the following enforcement-related comments should the Committee move this measure forward.

1. On page 4, lines 10-12, Senate Bill No. 40 S.D.1 authorizes the Director to initiate a civil action to collect any fines imposed for unlicensed behavior analysis activity "in accordance with rules adopted by the director." To facilitate its enforcement of the new chapter, RICO requests that this sentence be deleted and suggests a fine amount of \$1,000 be inserted on page 4, line 8.

For consistency and to clarify RICO's preference that fine amounts be set by statute rather than by administrative rules, RICO also requests that the word "penalty" be replaced with "enforcement" on page 6, line 6.

2. Senate Bill No. 40 S.D.1 requires that a licensed assistant behavior analyst practice behavior analysis only under the ongoing supervision of a licensed behavior analyst. RICO seeks clarification on the level of supervision that is required. Also, in order to ensure that a licensed assistant behavior analyst does not practice without the required supervision, RICO recommends that the

supervising licensed behavior analyst be required to report to the Director when the supervisory relationship terminates and suggests the following amendment on page 10, line 2:

"of a licensed behavior analyst. A supervising licensed behavior analyst shall inform the director within ten business days from the time supervision of the licensed assistant behavior analyst is terminated or discontinued."

3. Because active status with the Behavior Analyst Certification Board ("BACB") is required as a condition of licensure, RICO suggests the following amendment on page 12, lines 7-9:

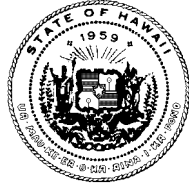
"(7) Engaging in conduct or a practice contrary to recognized standards of ethics for the practice of behavior analysis as adopted by the Behavior Analyst Certification Board. "

4. On page 13, lines 15-17, the bill provides that a licensee or applicant may be fined for violations of the new Chapter in an undetermined amount "as established by the director by rule". Again, to facilitate its enforcement of the new chapter, RICO asks that the reference to a fine amount determined by administrative rules be deleted, and suggests that a fine amount of \$1,000 be inserted on line 16.

5. Senate Bill No. 40 S.D.1 also provides for an effective date of upon approval. To ensure a planful transition for the Department and prospective licensees and as is customary with new programs, RICO recommends a delayed effective date of at least one year.

Thank you for the opportunity to testify on Senate Bill No. 40 S.D.1. I will be happy to answer any questions that the members of the Committee may have.





STATE OF HAWAII  
**DEPARTMENT OF HUMAN SERVICES**

P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 18, 2015

TO: The Honorable Rosalyn H. Baker, Chair  
Senate Committee on Commerce and Consumer Protection

FROM: Rachael Wong, DrPH, Director

SUBJECT: **S.B. 40, S.D.1- RELATING TO LICENSING**

Hearing: Wednesday, February 18, 2015; 9:30 a.m.  
Conference Room 229, State Capitol

**PURPOSE:** The purpose of this bill is to establish the behavior analysis program within the Department of Commerce and Consumer Affairs (DCCA); and establishes licensing requirements for behavior analysts and assistant behavior analysts.

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this measure that will establish a licensing program for behavior analysts and assistant behavior analysts.

Federal requirements provide that providers of services must be licensed in their profession in order to participate in Medicaid. Having a licensing program for behavior analysts and assistant behavior analysts will help to ensure quality of services for individuals receiving services and provide for a more stable workforce to provide needed services for the targeted population.

DHS defers to DCCA regarding implementation and other issues DCCA may raise in its testimony.

Thank you for the opportunity to testify on this measure.



**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
919 ALA MOANA BOULEVARD, ROOM 113  
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TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
**February 18, 2015**

The Honorable Rosalyn H. Baker, Chair  
Senate Committee on Commerce and Consumer Protection  
Twenty-Eighth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Senator Baker and Members of the Committee:

SUBJECT: SB 40 SD1 – Relating to Licensing

The State Council on Developmental Disabilities (DD) **SUPPORTS THE INTENT OF SB 40 SD1**. The purpose of this bill is to establish the behavior analysis program within the Department of Commerce and Consumer Affairs, and establish licensing requirements for behavior analysts and assistant behavior analysts.

The passage of this bill would address the need to develop an infrastructure that supports licensed providers, specifically behavior analysts and assistant behavior analysts. These groups of providers are recognized in providing treatment for individuals with autism spectrum disorders. Currently, there is no system or process in place. We understand that the process for other national recognized providers is a long and rigorous process, one that could take up to five years.

With SB 791 – Relating to Autism Spectrum Disorders and HB 1108 – Relating to Health moving through the legislative process to provide mandated insurance coverage for the diagnosis and treatment of autism, it is imperative that a licensing process begin this year. We appreciate the Legislature's proactive approach to establish a behavior analysis program that includes licensing for behavior analysts and assistant behavior analysts.

Thank you for the opportunity to submit **supportive testimony for SB 40 SD1**.

Sincerely,

A handwritten signature in black ink, appearing to read "Waynette K.Y. Cabral".

Waynette K.Y. Cabral, M.S.W.  
Executive Administrator

A handwritten signature in black ink, appearing to read "Rosie Rowe".

Rosie Rowe  
Chair



COMMUNITY CHILDREN'S COUNCIL OF HAWAII  
1177 Alakea Street • B-100 • Honolulu • HI • 96813  
TEL: (808) 586-5363 • TOLL FREE: 1-800-437-8641 • FAX: (808) 586-5366

February 11, 2015

Senator Rosalyn Baker  
Chair Senate Committee on Commerce and Consumer Protection – Hawaii State Capitol

**RE: SB 40, SD1- RELATING TO LICENSING**

Dear Chair Baker, Vice-Chair Taniguichi, and Members of the Committee,

The 17 Community Children's Councils (CCCs) of Hawaii **strongly supports SB 40, SD1** which establishes the behavior analysis program within the department of commerce and consumer affairs. It further establishes licensing requirements for behavior analysts and assistant behavior analysts.

Behavior analysts are educated in Applied Behavior Analysis which is a well-developed discipline with established standards for evidence-based practice. The following outlines the various levels who may work with a child. ([www.bacb.com](http://www.bacb.com))

**Board Certified Behavior Analyst® (BCBA®)/Board Certified Assistant Behavior Analyst® (BCaBA®):**

The BCBA conducts descriptive and systematic behavioral assessments, including functional analyses, and provides behavior analytic interpretations of the results. The BCBA designs and supervises behavior analytic interventions. The BCBA is able to effectively develop and implement appropriate assessment and intervention methods for use in unfamiliar situations and for a range of cases. The BCBA seeks the consultation of more experienced practitioners when necessary. The BCBA teaches others to carry out ethical and effective behavior analytic interventions based on published research and designs and delivers instruction in behavior analysis. BCBA's supervise the work of Board Certified Assistant Behavior Analysts and others who implement behavior analytic interventions.

**Registered Behavior Technician™ (RBT™):**

The RBT is a paraprofessional who practices under the close, ongoing supervision of a BCBA or BCaBA ("designated RBT supervisor"). The RBT is primarily responsible for the direct implementation of skill-acquisition and behavior-reduction plans developed by the supervisor. The RBT may also collect data and conduct certain types of assessments (e.g., stimulus preference assessments). The RBT does not design intervention or assessment plans. It is the responsibility of the designated RBT supervisor to determine which tasks an RBT may perform as a function of his or her training, experience, and competence. The designated RBT supervisor is ultimately responsible for the work performed by the RBT.

These two levels are essential as the BCBA/BCaBA would work hand in hand with the RBT (direct service provider). Recognizing this license in Hawaii will allow many more children and adults with disabilities to receive much needed services which ultimately will improve their quality of life and decrease long-term costs for the State.

The CCCs are community-based bodies comprised of parents, professionals in both public and private agencies and other interested persons who are concerned with specialized services provided to Hawaii's students. Membership is diverse, voluntary and advisory in nature. The CCCs are in rural and urban communities organized around the Complexes in the Department of Education.

We respectfully request your consideration of SB 40, SD1. Should you have any questions or need additional information, please contact the Community Children's Council Office (CCCO) at 586-5363. Thank you for considering our testimony,

Tom Smith, Co-Chair  
(Original signatures are on file with the CCCO)

Jessica Wong-Sumida, Co-Chair

2/18/15

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION  
Senator Rosalyn H. Baker, Chair  
Senator Brian T. Taniguchi, Vice Chair

Conference Room 229  
Hawaii State Capitol  
415 South Beretania Street

Dear Committee Chair, Vice Chair and members of the Committee:

My name is Amanda N. Kelly, PhD, BCBA-D and I am the current President of the Hawai'i Association for Behavior Analysis (HABA). I am writing in support of Senate Bill 40 – An Act Relative to Licensing of Behavior Analysts.

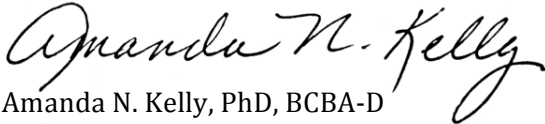
On behalf of the Hawai'i Association for Behavior Analysis, we support the inclusion that Board Certified assistant Behavior Analysts (BCaBA) as licensed individuals who work under the direct supervision of a Board Certified Behavior Analyst (BCBA) at a density recommended by the Behavior Analyst Certification Board (BACB).

In addition, HABA also supports carving out language to protect the following individuals and their rights to practice behavior analysis in the state of Hawai'i.

- Behavior analysts who practice with nonhumans, including applied animal behaviorists and animal trainers.
- Support exemption of matriculated college or university students whose applied behavior analysis activities are part of a defined program of study, course, practicum, internship, or postdoctoral fellowship, provided that the applied behavior analysis activities under this exemption are directly supervised by a Licensed Behavior Analyst in this state or an instructor in a course sequence approved by the certifying entity. Such individuals must not represent themselves as professional behavior analysts and must use titles that clearly indicate their trainee status, such as “student,” “intern,” or “trainee.”
- Support exemption of unlicensed individuals pursuing experience in applied behavior analysis consistent with the experience requirements of the certifying entity, provided such experience is supervised in accordance with the requirements of the certifying entity.
- Support exemption of behavior analysts licensed in another jurisdiction or certified by the certifying entity to practice independently and who work in [state] no more than [X] hours within a calendar year.

Again, we thank you for your consideration and of this bill, which aims to increase consumer protection, through the appropriate monitoring and regulation of applied behavior analysis (ABA) services in the state of Hawai'i.

Respectfully submitted,

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

Amanda N. Kelly, PhD, BCBA-D

President, 2015 Hawai'i Association for Behavior Analysis

**From:** [Louis Erteschik](#)  
**To:** [CPN Testimony](#)  
**Subject:** FW: SB 40 SD1  
**Date:** Monday, February 16, 2015 5:37:35 PM

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From: Louis Erteschik  
Sent: Monday, February 16, 2015 5:36 PM  
To: Louis Erteschik  
Subject: SB 40 SD1

Senate Committee on Commerce and Consumer Protection

Hearing February 18, 2015 9:30AM Room 229

The Hawaii Disability Rights Center recently filed a lawsuit against the Department of Human Services to require them to cover ABA services under the Medicaid EPSDT program. In response to the lawsuit, the Department has issued a Memorandum detailing how services would be covered. There is a fair degree of ambiguity as to whether current ABA practitioners will be able to receive reimbursement or whether they must be state licensed in order to do so. For that reason it seems appropriate to begin discussions on licensure so that services can commence as quickly as possible.

Louis Erteschik  
Executive Director



February 17, 2015

Senate Committee on Commerce and Consumer Protection  
Senator Rosalyn H. Baker, Chair  
Senator Brian T. Taniguchi, Vice Chair

State Capitol  
415 South Beretania St  
Honolulu, HI 96813

**Re: In Support of SB40**

*Relating to Licensing. Establishes licensing requirements for the practice of behavior analysis.*

Dear Chair Baker, Vice Chair Taniguchi, and Members of the Committee:

I am Lorri Unumb, Vice President for State Government Affairs at Autism Speaks, the parent of a child with autism, and a consumer of Applied Behavior Analysis services for my child. Autism Speaks is the world's leading autism science and advocacy organization, dedicated to funding research into the causes, prevention, treatments and a cure for autism; increasing awareness of autism spectrum disorders; and advocating for the needs of individuals with autism and their families. Autism Speaks is pleased to submit testimony in strong support of SB40.

Autism Speaks has worked to pass autism insurance legislation in 38 states. In most of those states, insurance companies reimburse practitioners of Applied Behavior Analysis (ABA) on the basis of their national board certification, without the need for state licensure. As such, we know that licensure is not a prerequisite to insurance reimbursement for ABA services. Nevertheless, we support the professionalization of the ABA field and support the ability of states to protect consumers of ABA services, who are typically (though not always) individuals with autism. Many consumers of ABA services are children; some ABA consumers are non-verbal; as such, it is appropriate for the state to take an interest in regulating the providers who work with these individuals.

The professionals who design and oversee an ABA program for an individual with autism are called "behavior analysts." Behavior analysts can be certified by a non-profit national entity,



the Behavior Analyst Certification Board (BACB), which itself is credentialed by the National Commission on Certifying Agencies. The requirements to become a Board Certified Behavior Analyst (BCBA) are stringent, and they appropriately form the basis for state licensure of behavior analysts in the 19 states that now license behavior analysts.

The creation of a state license for behavior analysts under SB40 supports the provider scheme set forth in at least one of the autism insurance bills that is currently pending in the Hawaii legislature (SB791), as well as in the current coverage memorandum that outlines ABA benefits for the state's Medicaid population. As such, we encourage the committee to pass SB40, and we look forward to working with you to ensure smooth and timely implementation.

Respectfully submitted,

A handwritten signature in black ink, reading "Lorri Shealy Unumb". The signature is written in a cursive, flowing style.

Lorri Shealy Unumb  
Vice President, State Government Affairs  
Autism Speaks

1 East 33<sup>rd</sup> Street  
New York, NY  
803-582-9905  
[Lorri.unumb@autismspeaks.org](mailto:Lorri.unumb@autismspeaks.org)

February 18, 2015

The Honorable Rosalyn H. Baker, Chair  
The Honorable Brian T. Taniguchi, Vice Chair  
Senate Committee on Commerce and Consumer Protection

**Re: SB 40, SD1 – Relating to Licensing**

Dear Chair Baker, Vice Chair Taniguchi and Members of the Committee:

The Hawaii Medical Service Association (HMSA) appreciates the opportunity to testify on SB 40, SD1, which establishes licensure requirements for Behavioral Analysts and Assistance Behavioral Analysts. HMSA has comments on this Bill.

HMSA is aware of related legislation such as SB 791 that seeks to mandate insurance coverage for autism spectrum disorder services. Should such legislation ultimately be enacted, it is critical that the Behavioral Analysts and Assistant Behavioral Analysts that provide applied behavioral analysis services be fully licensed, such as would be provided for under SB 40, SD1.

Given the specialized nature of services that are necessary for children with autism spectrum disorder services, it is imperative that those providers be of the highest quality. A licensure requirement will help to ensure those service providers to whom we will entrust those children, meet those professional standards.

Thank you for the opportunity to testify comment on SB 40, SD1.

Sincerely,



Jennifer Diesman  
Vice President  
Government Relations

2/18/15

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION

Senator Rosalyn H. Baker, Chair  
Senator Brian T. Taniguchi, Vice Chair

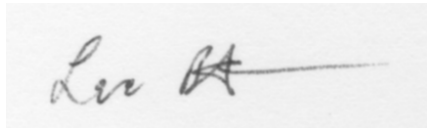
Conference Room 229

Hawaii State Capitol  
415 South Beretania Street

Dear Committee Chair, Vice Chair and Members of the Committee:

My name is Lara Bollinger and I am a Board Certified Behavior Analyst and the Treasurer of the Hawaii Association for Behavior Analysis. I'm writing to you today to lend my support to Senate Bill 40 which would require licensure for Behavior Analysts in the state of Hawaii. I am in support of this bill to provide for increased consumer protection by ensuring that those providing behavior analysis services are competent to do so.

Thank you for your time,

A handwritten signature in dark ink, appearing to read "Lara BA", followed by a horizontal line.

Lara Bollinger, M.S.Ed., BCBA

Treasurer, Hawaii Association for Behavior Analysis

COMMITTEE ON COMMERCE AND CONSUMER PRODUCTION

Senator Rosalyn H. Baker, Chair

Senator Brian T. Taniguchi, Vice Chair

Friday, February 18, 2015 9:30 AM

Conference Room 229

State Capitol

415 South Beretania Street

Dear Chair Baker, Vice Chair Taniguchi and members of the Committee,

My name is Johanna Taylor and I am a Board Certified Behavior Analyst (BCBA) living on the Big Island in the state of Hawaii. I hold a PhD in Early Intervention with an emphasis on individuals with autism and related disorders.

I strongly **support SB 40**. Licensing of behavior analysts protects consumers from receiving services provided by individuals that are not trained to implement strategies based in applied behavior analysis. Certification in behavior analysis is a process that requires extensive coursework, specific competencies, and many hours of supervised experience. Additionally, licensing of behavior analysts strengthens the profession of behavior analysis in the state and moves Hawaii towards providing quality services provided by qualified individuals.

I hope that you consider supporting **SB 40** this legislative session.

Mahalo,

**Johanna P. Taylor, PhD., BCBA**

Neighbor Island Representative

Hawaii Association for Behavior Analysis

info@hawaiiaba.org

2/18/15

COMMITTEE ON COMMERCE AND CONSUMER PROTECTION  
Senator Rosalyn H. Baker, Chair  
Senator Brian T. Taniguchi, Vice Chair

Conference Room 229  
Hawaii State Capitol  
415 South Beretania Street

Members of the Committee on Commerce and Consumer Protection:

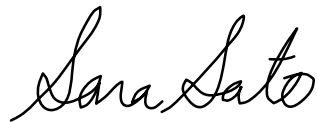
My name is Sara Sato and I was born and raised in Honolulu, Hawai'i. I am a Board Certified Behavior Analyst (BCBA) that holds a Master's Degree in Special Education with an Autism and Severe Disabilities Specialization from the University of Hawai'i at Manoa. I have been working with children with Autism for the past 16 years. Thank you for the opportunity to submit testimony today in support of SB40: Relating to Licensing Behavior Analysts.

The practice of Applied Behavior Analysis (ABA) focuses on making socially significant behavior change to individuals. ABA practitioners systematically apply evidence based procedures based on the principles of Behavior and Learning, frequently monitor progress by collecting data and graphing, make changes based on the information gathered, and promote the generalization of the skills learned. These procedures are extremely effective at teaching individuals to develop positive repertoires and eliminate behavior that is inappropriate.

I support licensure of Behavior Analysts in Hawai'i. As a BCBA, I have seen significant results produced as a result of the competent application of ABA. Additionally, as Behavior Analysts we follow a strict code of ethics that hold us to a high standard of professionalism. I am proud of the work that I do and stand behind our practice. Adding licensure would put our practice at an even higher standard which will ensure the consumer is receiving the best quality services they deserve.

Thank you again for the opportunity to voice my support for this important bill.

Sincerely,



Sara Sato, M.Ed., BCBA

Legislative Co-Chair

Hawaii Association for Behavior Analysis

2/18/15  
COMMITTEE ON COMMERCE AND CONSUMER PROTECTION  
Senator Rosalyn H. Baker, Chair  
Senator Brian T. Taniguchi, Vice Chair

Conference Room 229  
Hawaii State Capitol  
415 South Beretania Street

February 18, 2015

Dear Chair Baker, Vice Chair Taniguchi, and members of the Committee on Commerce and Consumer Protection:

My name is Kristen Koba-Burdtt and I am Board Certified Behavior Analyst (BCBA) living on Maui. I'd like to submit testimony in **strong support** of SB40 SD1, and thank you for addressing this important issue in this legislative session.

Establishing licensure of behavior analysts will help to strengthen the profession here in the islands. Additionally, licensure and regulation at the state level will help to ensure consumers receive treatment from qualified professionals.

Mahalo for your support,



Kristen Koba-Burdtt, M.S., BCBA  
Vice-President, Hawaii Association for Behavior Analysis (HABA)  
Behavioral Services Manager, BAYADA Habilitation—Maui  
kkoba-burdtt@BAYADA.com



**From:** [mailinglist@capitol.hawaii.gov](mailto:mailinglist@capitol.hawaii.gov)  
**To:** [CPN Testimony](#)  
**Cc:** [bburd3@gmail.com](mailto:bburd3@gmail.com)  
**Subject:** Submitted testimony for SB40 on Feb 18, 2015 21:30PM  
**Date:** Monday, February 16, 2015 9:03:29 PM

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**SB40**

Submitted on: 2/16/2015

Testimony for CPN on Feb 18, 2015 21:30PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Brian Burdt	Individual	Support	No

Comments: I support the licensure of behavior analysts and the current language of the bill. Thank you for addressing this in the current session.

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**To:** [CPN Testimony](#)  
**Cc:** [breaking-the-silence@hotmail.com](mailto:breaking-the-silence@hotmail.com)  
**Subject:** \*Submitted testimony for SB40 on Feb 18, 2015 21:30PM\*  
**Date:** Monday, February 16, 2015 12:15:30 PM

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**SB40**

Submitted on: 2/16/2015

Testimony for CPN on Feb 18, 2015 21:30PM in Conference Room 229

Submitted By	Organization	Testifier Position	Present at Hearing
Dara Carlin, M.A.	Individual	Support	No

Comments:

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