



STATE OF HAWAII  
DEPARTMENT OF EDUCATION  
P.O. BOX 2360  
HONOLULU, HAWAII 96804

**Date:** 03/12/2020  
**Time:** 09:00 AM  
**Location:** Auditorium  
**Committee:** House Health

**Department:** Education

**Person Testifying:** Dr. Christina M. Kishimoto, Superintendent of Education

**Title of Bill:** SB 2281, SD1 RELATING TO BEHAVIOR ANALYSTS.

**Purpose of Bill:** Makes permanent the regulation of behavior analysts. Exempts behavior analysts licensing program from auditor evaluation requirement. (SD1)

**Department's Position:**

The Department of Education (Department) supports the intent of SB 2281, SD1 to continue the regulation and control of the practice of behavior analysts for the purpose of ensuring the continuity of treatment for individuals with autism and protecting the public's health, safety, and welfare.

The Department is committed to providing quality Applied Behavior Analysis services to our students regardless of the continuation of Chapter 465D, Hawaii Revised Statutes.

At this time, the Department does not propose any amendments to this measure as currently written.

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

The Hawai'i State Department of Education is committed to delivering on our promises to students, providing an equitable, excellent, and innovative learning environment in every school to engage and elevate our communities. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at [www.hawaiipublicschools.org](http://www.hawaiipublicschools.org).

**SB-2281-SD-1**

Submitted on: 3/9/2020 6:05:15 PM

Testimony for HLT on 3/12/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Louis Erteschik	Hawaii Disability Rights Center	Support	Yes

Comments:

We support this bill in its current form and would urge the Committee to resist any attempt to introduce any amendments that would add to or carve out any other professions from this particular chapter in the Hawaii Revised Statutes. There were several attempts along those lines and the Senate wisely chose to reject those efforts.

**SB-2281-SD-1**

Submitted on: 3/10/2020 9:21:41 AM

Testimony for HLT on 3/12/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Lara Bollinger	Together For Our Keiki	Support	No

Comments:

Aloha Chair, Vice Chair and Members of the Committee:

Thank you for the opportunity to testify on this measure. As an organization and as an individual, I support repealing the sunset date for the behavior analysis licensure. Originally a companion bill to autism insurance law, licensure for behavior analysts has afforded thousands of consumers access to services. Since 1/1/2016, hundreds of behavior analysts have also become licensed in the state. Unlike many professions locally, the number of behavior analysts in our state appears to be growing exponentially.

We respectfully request that you continue to uphold the protections afforded to our consumers by upholding the current language in the law. We are in full support of the removal of the sunset provision in the current law, which will make licensure for behavior analysts in Hawaii permanent.

Mahalo nui loa,

Lara Bollinger

Together For Our Keiki

[www.forourkeiki.com](http://www.forourkeiki.com)



COMMITTEE ON HEALTH  
Representative John Mizuno,  
Chair

Representative Bertrand Kobayashi,  
Vice Chair

Thursday, March 12, 2020  
9:00 AM  
State Capitol Auditorium  
415 South Beretania Street

**Support of SB 2281, SD1**

Honorable Chair Mizuno, Vice Chair Kobayashi, and members of the committee:

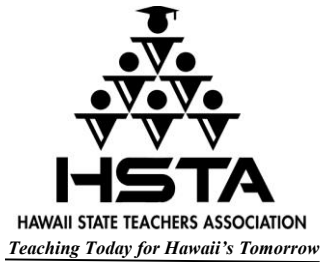
The Hawai'i Association for Behavior Analysis (HABA) supports SB 2281, SD1, which makes permanent the regulation of behavior analysts under chapter 465D of the Hawai'i Revised Statutes.

Since the enactment of the behavior analyst licensure law in 2015, which was passed together with the autism insurance coverage law, licensed behavior analysts have helped many individuals with autism receive the services they need. The number of licensed behavior analysts in the State has steadily grown since the enactment of the law, and continues to grow to meet the need for these services.

We also note that this is a bill which solely addresses the expiration of a sunset date – HABA is opposed to watering down the existing licensure law by adding any exemptions to licensing requirements, as has been suggested by other testifiers in previous hearings.

Mahalo,

Kyle Machos President, Hawai'i Association for Behavior Analysis  
*On behalf of the HABA Board, Legislative Committee, and Members*



Corey Rosenlee  
President  
Osa Tui Jr.  
Vice President  
Logan Okita  
Secretary-Treasurer  
Wilbert Holck  
Executive Director

TESTIMONY BEFORE THE HOUSE COMMITTEE ON HEALTH

RE: SB 2281, SD1 - RELATING TO BEHAVIOR ANALYSIS

THURSDAY, MARCH 12, 2020

COREY ROSENLEE, PRESIDENT  
HAWAII STATE TEACHERS ASSOCIATION

Chair Mizuno and Members of the Committee:

The Hawaii State Teachers Association **supports SB 2281, SD1**, relating to behavior analysis. **This bill makes permanent the regulation of behavior analysts.**

Behavior analysis means the design, implementation, and evaluation of instructional and environmental modifications to produce socially significant improvements in human behavior. The practice of behavior analysis includes the empirical identification of functional relations between behavior and environmental factors, known as functional assessment and analysis, as well as the use of contextual factors, motivating operations, antecedent stimuli, positive reinforcement, and other consequences to help people develop positive behaviors.

Act 199, Session Laws of Hawaii 2015, established the behavior analyst program within the Department of Commerce and Consumer Affairs and created licensing requirements for behavior analysts. Licensing of behavior analysis services was made concurrent with mandated insurance coverage for diagnosis and treatment related to autism disorders, with which nearly 1,500 public school students are currently diagnosed. Act 205 further clarified the licensing qualifications for those who conduct Functional Behavior Assessments (FBAs), and design and monitor Applied Behavior Analysis (ABA) Plans in our state.

Our teachers sometimes need the support of other professionals who support our students with other areas of expertise; this area is one of them, and these Licensed Behavior Analysts (LBAs) and School Psychologists are essential for our students to access their learning as they have the licensing qualification required by Medicaid for their services to be reimbursable to the state. This is vital and we want to state again, that these license standards should not be watered down. We also are glad this law requires health plans to cover these services and these services should remain regulated and licensed accordingly. This law should be made permanent.

To support access to learning experiences of our most vulnerable keiki, the Hawaii State Teachers Association asks your committee to **support** this bill.

**SB-2281-SD-1**

Submitted on: 3/10/2020 9:11:44 AM

Testimony for HLT on 3/12/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Amanda N. Kelly	Individual	Support	No

Comments:

Thank you for the opportunity to testify on this measure. As an individual, I support repealing the sunset date for the behavior analysis licensure. I respectfully request that you continue to uphold the protections afforded to our consumers by upholding the current language in the law. I am in full support of the removal of the sunset provision in the current law, which will make licensure for behavior analysts in Hawaii permanent.

**SB-2281-SD-1**

Submitted on: 3/11/2020 10:15:47 AM

Testimony for HLT on 3/12/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kristen Koba-Burd	Individual	Support	No

Comments: