

Honolulu, Hawaii

MAY 01 2015

RE: S.B. No. 40
S.D. 3
H.D. 2
C.D. 1

Honorable Donna Mercado Kim
President of the Senate
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Honorable Joseph M. Souki
Speaker, House of Representatives
Twenty-Eighth State Legislature
Regular Session of 2015
State of Hawaii

Madam and Sir:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 40, S.D. 3, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LICENSING,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Establish the behavior analyst program within the Department of Commerce and Consumer Affairs;
- (2) Require the licensing of behavior analysts for the practice of behavior analysis; and
- (3) Appropriate funds out of the compliance resolution fund to implement the behavior analyst program.



Your Committee on Conference finds that behavior analysts engaged in the practice of behavior analysis typically treat individuals with autism spectrum disorders. Your Committee on Conference further finds that behavior analysts are currently credentialed through the Behavior Analyst Certification Board. However, there is growing interest in licensure at the state level to protect the rights of behavior analysts to practice their discipline and increase consumer protection. Furthermore, federal requirements specify providers of services must be licensed in their profession in order to participate in Medicaid.

Accordingly, this measure addresses the urgent need for a licensing process for behavior analysts in Hawaii, thereby ensuring that these professionals can provide an appropriate level of care and be appropriately reimbursed for their services. Your Committee on Conference notes that it is imperative that the licensing of behavior analysts begin concurrently with any mandated insurance coverage for the diagnosis and treatment of autism.

Your Committee on Conference has amended this measure by:

- (1) Specifying that the license and renewal surcharge to be paid by each behavior analyst shall be \$100;
- (2) Specifying that the registration system for behavior analysts established by this measure shall be repealed on June 30, 2021;
- (3) Inserting an appropriation amount of \$40,000 from the compliance resolution fund; and
- (4) Inserting an effective date of July 1, 2015.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 40, S.D. 3, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 40, S.D. 3, H.D. 2, C.D. 1.



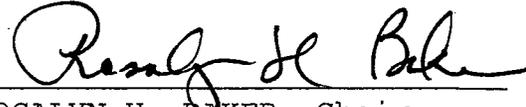
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



DELLA AU BELATTI, Co-Chair



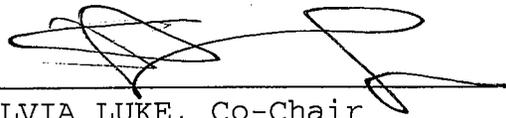
ROSALYN H. BAKER, Chair



ANGUS L.K. MCKELVEY, Co-Chair



JILL N. TOKUDA, Co-Chair



SYLVIA LUKE, Co-Chair



Hawaii State Legislature

CCR 90

Record of Votes of a
Conference Committee

Bill / Concurrent Resolution No.: SB 40, SD 3, HD 2	Date/Time: <i>9:10 AM 5-1-2015</i>
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The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure

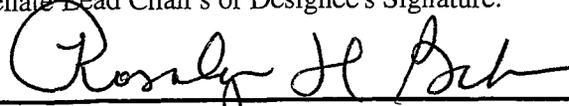
The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.

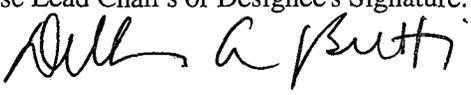
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
BAKER, Rosalyn H., Chr.	✓				BELATTI, Della Au, Co-Chr.	✓			
TOKUDA, Jill N., Co-Chr.	✓				MCKELVEY, Angus L.K., Co-Chr.	✓			
SLOM, Sam	✓				LUKE, Sylvia, Co-Chr.	✓			
					HAR, Sharon E.				✓
					FUKUMOTO CHANG, Beth	✓			
TOTAL	3	-	-	-	TOTAL	4	-	-	1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is:
 Adopted Not Adopted

House Recommendation is:
 Adopted Not Adopted

Senate Lead Chair's or Designee's Signature:


House Lead Chair's or Designee's Signature:


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