

Honolulu, Hawaii  
**March 20**, 2015RE: S.B. No. 40  
S.D. 3  
H.D. 1

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

Sir:

Your Committee on Health, to which was referred S.B. No. 40, S.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO LICENSING,"

begs leave to report as follows:

The purpose of this measure is to:

- (1) Require the licensing of behavior analysts by establishing the Behavior Analyst Program (Program) within the Department of Commerce and Consumer Affairs;
- (2) Exempt the Program from the requirement for a sunrise analysis by the Auditor; and
- (3) Appropriate funds to implement the Program.

The Hawaii Association for Behavior Analysts, Autism Speaks, and several individuals supported this measure. The Children's Committee of the Hawaii Psychological Association supported this measure with amendments. The State Council on Developmental Disabilities and the Special Education Advisory Council testified in support of the intent of this measure. The Department of Commerce and Consumer Affairs, Regulated Industries Complaints Office, Hawaii Medical Service Association, Hawaii Disability Rights Center, and an individual commented on this measure.



Your Committee has amended this measure by:

- (1) Amending the purpose section for clarity;
- (2) Establishing findings and declaration of necessity in the new chapter relating to behavior analysts;
- (3) Providing that a behavior analyst applying for licensure may also be a board certified behavior analyst-doctoral who maintains active status with the Behavior Analyst Certification Board;
- (4) Expanding the licensure requirement to "licensed assistant behavior analyst" and "assistant behavior analyst"; and
- (5) Changing its effective date to July 1, 2012.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 40, S.D. 3, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 40, S.D. 3, H.D. 1, and be referred to the Committee on Consumer Protection & Commerce.

Respectfully submitted on  
behalf of the members of the  
Committee on Health,



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DELLA AU BELATTI, Chair



State of Hawaii  
House of Representatives  
The Twenty-eighth Legislature

HOCR 979

Record of Votes of the Committee on Health

Bill/Resolution No.: <i>SB40SD3</i>	Committee Referral: <i>HLT, CPC, FIN</i>	Date: <i>3/18/15</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. BELATTI, Della Au (C)	✓			
2. CREAGAN, Richard P. (VC)	✓			
3. HASHEM, Mark J.	✓			
4. JORDAN, Jo	✓			
5. KOBAYASHI, Bertrand	✓			
6. MORIKAWA, Dee	✓			
7. OSHIRO, Marcus R.	✓			
8. FUKUMOTO CHANG, Beth	✓			
9. TUPOLA, Andria P.L.				✓
TOTAL (9)	8			1
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted         If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____				
Distribution: Original (White) – Committee      Duplicate (Yellow) – Chief Clerk's Office      Duplicate (Pink) – HMSO				