

STAND. COM. REP. NO. 680

Honolulu, Hawaii

MAR 06 2015

RE: S.B. No. 40
S.D. 3

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

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 40, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO LICENSING,"

begs leave to report as follows:

The purpose and intent of this measure is to require the licensing of behavior analysts.

Your Committee received written comments in support of this measure from the State Council on Developmental Disabilities, the Special Education Advisory Council, the Hawaii Association for Behavior Analysis, the Autism Behavior Consulting Group, and nine individuals. Written comments on the measure were received from the Office of the Director, the Regulated Industries Complaints Office, and the Professional and Vocational Licensing Division of the Department of Commerce and Consumer Affairs.

Your Committee 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. More importantly, it is imperative that the licensing of behavior analysts begin concurrently with any mandated coverage for the diagnosis and treatment of autism. Federal law requires providers to be licensed in order to participate in Medicaid.



Your Committee has amended this measure by:

- (1) Exempting the licensing program for behavior analysts established in the measure from the requirement for a sunrise analysis by the Auditor; and
- (2) Changing the effective date to July 1, 2053, in order to facilitate further discussion on the measure.

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

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



JILL N. TOKUDA, Chair



The Senate
Twenty-Eighth Legislature
State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:*	Committee Referral:	Date:		
SB40 SD2	OPN, WAM	2/27/15		
<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
TOKUDA, Jill N. (C)	✓			
KOUCHI, Ronald D. (VC)	✓			
CHUN OAKLAND, Suzanne				✓
DELA CRUZ, Donovan M.	✓			
ENGLISH, J. Kalani	✓			
GALUTERIA, Brickwood	✓			
HARIMOTO, Breene	✓			
INOUYE, Lorraine R.	✓			
RIVIERE, Gil	✓			
RUDERMAN, Russell E.				✓
SLOM, Sam				✓
TOTAL	8	0	0	3
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:right; font-family: cursive; font-size: 1.2em;">M. D. VL</div>				
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*Only one measure per Record of Votes