

Honolulu, Hawaii

FEB 12 2020

RE: S.B. No. 2085
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committees on Education and Human Services, to which was referred S.B. No. 2085 entitled:

"A BILL FOR AN ACT RELATING TO BEHAVIOR ANALYSIS,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Appropriate funds to the Department of Education to provide public school students with behavior analysis services; and
- (2) Require the Department of Education to seek any necessary approvals from the Centers for Medicare and Medicaid Services to amend the state Medicaid plan to include applied behavior analysis services for eligible students who have been diagnosed with an autism spectrum disorder.

Your Committees received testimony in support of this measure from the State Public Charter School Commission, Hawaii State Teachers Association, Hawaii Psychological Association, Democratic Party of Hawai'i Education Caucus, and a private individual. Your Committees received testimony in opposition to this measure from seven private individuals. Your Committees received comments on this measure from the Department of Education, Department of Human



Services, Hawaii Association of Behavior Analysts, Hawaii Disability Rights Center, and six private individuals.

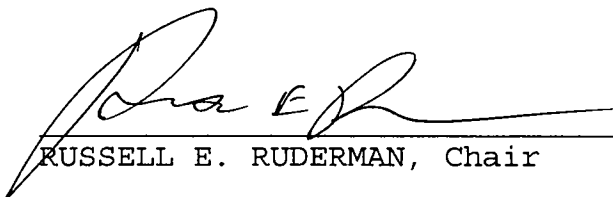
Your Committees find that there is a shortage of licensed behavior analysts, which makes it difficult for the Department of Education to adequately serve the nearly 1,500 public school students who are currently diagnosed with autism disorders. Your Committees further find that the qualifications for behavioral analysis services are set forth in chapter 465D, Hawaii Revised Statutes.

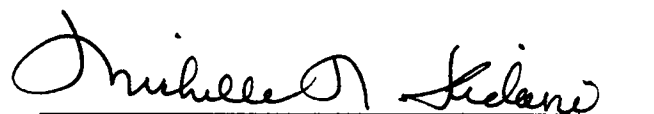
Your Committees have amended this measure by:

- (1) Limiting eligible behavior analysis service providers to individuals permitted to perform such services pursuant to chapter 465D, Hawaii Revised Statutes;
- (2) Clarifying that the services will be available to public charter school students; and
- (3) Amending the effective date from July 1, 2020, to July 1, 2050.

As affirmed by the records of votes of the members of your Committees on Education and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2085, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2085, S.D. 1, and be referred to your Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Education and
Human Services,

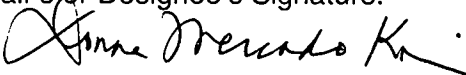

RUSSELL E. RUDERMAN, Chair


MICHELLE N. KIDANI, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Education
EDU

Bill / Resolution No.:* SB 2085	Committee Referral: EDU/HMS, WAM	Date: 02/03/2020		
<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
KIDANI, Michelle N. (C)	✓			
KIM, Donna Mercado (VC)	✓			
DELA CRUZ, Donovan M.				✓
KANUHA, Dru Mamo				✓
FEVELLA, Kurt	✓			
TOTAL	3			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes

The Senate
Thirtieth Legislature
State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 2085	Committee Referral: EDU/HMS, WAM	Date: 2/3/20		
<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
RUDERMAN, Russell E. (C)	✓			
RHOADS, Karl (VC)	✓			
IHARA, Jr., Les				✓
RIVIERE, Gil	✓			
FEVELLA, Kurt	✓			
TOTAL	4	0	0	1
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;">Karl Rhoads</div>				
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