

Honolulu, Hawaii

JUN 25 , 2020

RE: S.B. No. 2281
S.D. 1
H.D. 2

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2020
State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2281, S.D. 1, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to:

- (1) Make permanent the statutory framework for the regulation of the practice of applied behavior analysis and behavior analysts; and
- (2) Exempt the Behavior Analysts Licensing Program from the Auditor's sunset analysis requirement.

Your Committee received testimony in support of this measure from the Hawaii State Teachers Association, Hawaii Disability Rights Center, Autism Behavior Consulting Group Hawaii, Hawaii Association for Behavior Analysis, and seven individuals. Your Committee received comments on this measure from the Department of Commerce and Consumer Affairs and Department of Education.

Your Committee finds that the practice of applied behavior analysis includes the empirical identification of functional relations between behavior and environmental factors, known as



functional assessment and analysis, including the use of motivating operations, positive reinforcement, and other methods to help people develop positive behaviors. Your Committee further finds that Act 199, Session Laws of Hawaii 2015 (Act 199), established the statutory framework for the regulation of the practice of applied behavior analysis and behavior analysts. Since the enactment of Act 199, licensed behavior analysts have provided vital applied behavior analysis services to persons with autism. This measure makes permanent the licensure program for behavior analysts, which will promote public health and safety and ensure that persons who provide these vital applied behavior analysis services are properly qualified.

Your Committee has amended this measure by changing its effective date to upon approval.

As affirmed by the record of votes of the members of your Committee on Consumer Protection & Commerce that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2281, S.D. 1, H.D. 1, as amended herein, and recommends that it be referred to your Committee on Finance in the form attached hereto as S.B. No. 2281, S.D. 1, H.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Consumer
Protection & Commerce,



ROY M. TAKUMI, Chair



