A BILL FOR AN ACT

RELATING TO BEHAVIOR ANALYSTS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

SECTION 1. The legislature finds that Act 199, Session Laws of Hawaii 2015, codified as chapter 465D, Hawaii Revised Statutes (Act 199), establishes the licensing standards for behavior analysts, which is set to repeal on June 30, 2021. Act 199 was established to ensure that persons requiring diagnosis and treatment for autism receive the care they need. Since the establishment of Act 199, over three hundred licenses for behavior analysts and over one thousand licenses for registered behavioral technicians have been issued in the State. As a result, thousands of individuals have received access to applied behavior analysis care and services since the implementation of Act 199.

The legislature therefore finds that the practice of behavior analysis and licensure of behavior analysts should continue to be regulated to protect the public's health, safety, and welfare. Additionally, while the licensure of behavior analysts has been a significant step in meeting the needs for
treatment of those with autism, the total number of licensees is still insufficient to meet present demands.

Accordingly, the purpose of this Act is to:

(1) Make permanent the regulation of behavior analysts under chapter 465D, Hawaii Revised Statutes, which will ensure the continued treatment of individuals with autism; and

(2) Exempt the requirements of an auditor's evaluation and report pursuant to 26H-5, Hawaii Revised Statutes, for behavior analysts.

SECTION 2. Section 26H-4, Hawaii Revised Statutes, is amended to read as follows:

"§26H-4 Repeal dates for newly enacted professional and vocational regulatory programs. (a) Any professional or vocational regulatory program enacted after January 1, 1994, and listed in this section shall be repealed as specified in this section. The auditor shall perform an evaluation of the program, pursuant to section 26H-5, prior to its repeal date.

[(b) Chapter 465D (behavior analysts) shall be repealed on June 30, 2021."
(b) Chapter 466L (appraisal management companies) shall be repealed on June 30, 2023.

(c) Chapter 457J (midwives) shall be repealed on June 30, 2025."

SECTION 3. The requirements of section 26H-5, Hawaii Revised Statutes, shall not apply to this Act.

SECTION 4. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2050.
Report Title:
Behavior Analysts; Regulation; Sunset Repeal

Description:
Makes permanent the regulation of behavior analysts. Exempts the behavior analysts licensing program from the auditor's evaluation requirement. Effective 7/1/2050. (HD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.