



STATE OF HAWAII
DEPARTMENT OF EDUCATION
P.O. BOX 2360
HONOLULU, HAWAII 96804

Date: 03/12/2019

Time: 02:30 PM

Location: 309

Committee: House Lower & Higher
Education

Department: Education

Person Testifying: Dr. Christina M. Kishimoto, Superintendent of Education

Title of Bill: SB 0818, SD2 RELATING TO SCHOOL PSYCHOLOGISTS.

Purpose of Bill: Establishes licensure requirements for school psychologists to be administered by the Hawaii teacher standards board. Prohibits private practice by school psychologists. Amends the name of the Hawaii teacher standards board to the Hawaii teacher standards and school psychologists board and amends the board's composition to include two school psychologists. Specifies that school psychologists who are employed by an educational institution and practice only within a school setting shall be exempt from licensure under chapter 465, Hawaii Revised Statutes. Requires the board to report to legislature. Sunsets 7/1/2026. Effective 7/1/2050. (SD2)

Department's Position:

The Department of Education (Department) respectfully provides comments on SB 818, SD 2.

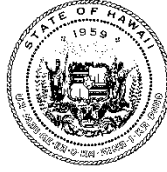
SB 818, SD 2 establishes licensure requirements for school psychologists, to be administered by the Hawaii Teacher Standards Board (HTSB). Prior to the passage of this measure, the Department requests a determination as to whether a Legislative Auditor sunrise analysis is needed to determine the probable effects of regulation on the profession. Additionally, while the Department has met with the HTSB and the Department of Commerce and Consumer Affairs (DCCA) during the interim to discuss the feasibility of a HTSB licensure for school psychologists, it remains unclear whether a HTSB license, rather than licensure through the DCCA, would allow for the services provided by a HTSB licensed school psychologist to be billed under the Medicaid licensure requirements for school-based Medicaid billing purposes. The Department continues to work collaboratively with Med-Quest and DCCA on this issue towards a resolution.

Furthermore, notwithstanding a sunrise analysis, if the bill passes, the Department is also concerned that there is no provision for a sufficient transition period for our current school psychologist employees to obtain licensure by the bill's effective date and therefore respectfully requests a delayed implementation.

In this measure's companion bill, HB 249, the Committee on Lower and Higher Education requested that the Committee on Intrastate Commerce consider amendments stemming from the collaboration between the HTSB and the Hawaii Association of School Psychologists. The Department believes this collaboration is valuable and pertinent to SB 818 SD 2 and looks forward to reviewing and commenting on those proposed revisions.

Thank you for the opportunity to provide testimony on this measure.

The Hawaii State Department of Education seeks to advance the goals of the Strategic Plan which is focused on student success, staff success, and successful systems of support. This is achieved through targeted work around three impact strategies: school design, student voice, and teacher collaboration. Detailed information is available at www.hawaiipublicschools.org.



STATE OF HAWAII

HAWAII TEACHER STANDARDS BOARD

650 IWILEI ROAD, SUITE 268

HONOLULU, HAWAII 96817

March 10, 2019

**TESTIMONY BEFORE THE HOUSE COMMITTEE ON
LOWER & HIGHER EDUCATION**

PERSON TESTIFYING: Lynn Hammonds for the Hawaii Teacher Standards Board

DATE: Tuesday, March 12, 2019

TIME: 2:30 PM

LOCATION: Conference Room 309

TITLE OF BILL: SB 818 SD2 RELATING TO SCHOOL PSYCHOLOGISTS

PURPOSE OF BILL: Establishes licensure requirements for school psychologists to be administered by the Hawaii teacher standards board. Prohibits private practice by school psychologists. Amends the name of the Hawaii teacher standards board to the Hawaii teacher standards and school psychologists board and amends the board's composition to include two school psychologists. Specifies that school psychologists who are employed by an educational institution and practice only within a school setting shall be exempt from licensure under chapter 465, Hawaii Revised Statutes. Requires the board to report to legislature. Sunsets 7/1/2026. Effective 7/1/2050. (SD2)

POSITION: Support

Chair Woodson, Vice Chairs Hashem and Perruso, and Members of the Committee on Lower & Higher Education:

The Hawaii Teacher Standards Board supports SB 818 SD2, Relating to School Psychologists. The Board believes that it is the appropriate licensing authority for all school professional personnel, including school psychologists.

If SB818 SD2 is passed, the HTSB stands ready to generate appropriate rules for the preparation and licensure of school psychologists which meet standards of the National Association of School Psychologists. The HTSB will seek input from the the Hawaii Association of School Psychologists and the Department of Education as part of their rule and policy making process.

Thank you for the opportunity to testify, and I will be present to answer any questions you have at the hearing.



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
THIRTIETH LEGISLATURE, 2019**

ON THE FOLLOWING MEASURE:

S.B. NO. 818, S.D. 2, RELATING TO SCHOOL PSYCHOLOGISTS.

BEFORE THE:

HOUSE COMMITTEE ON LOWER AND HIGHER EDUCATION

DATE: Tuesday, March 12, 2019

TIME: 2:30 p.m.

LOCATION: State Capitol, Room 309

TESTIFIER(S): Clare E. Connors, Attorney General, or
Melissa J. Kolonie, Deputy Attorney General

Chair Woodson and Members of the Committee:

The Department of the Attorney General provides the following comments.

The purposes of this bill are to: (1) establish the licensure of school psychologists in alignment with the National Association of School Psychologists standards to ensure the continued delivery of quality service to students and the community; (2) specify that persons licensed as school psychologists shall not engage in private practice; (3) specify that school psychologists who are employed by an educational institution and practice only within a school setting shall be exempt from licensure under chapter 465, Hawaii Revised Statutes (HRS); (4) amend the name of the Hawaii Teacher Standards Board to the Hawaii Teacher Standards and School Psychologists Board; (5) amend the composition of the Hawaii Teacher Standards Board to include two school psychologists; and (6) require a report to the Legislature.

Psychologists are regulated under chapter 465, HRS. However, school psychologists are exempted from chapter 465, HRS. The profession of school psychology is currently unregulated and does not have statutory licensure requirements. Rather, the employer identifies expected requirements and qualifications of the school psychologist position. Pursuant to section 26H-6, HRS, new regulatory measures being considered for enactment that, if enacted, would subject unregulated professions and vocations to licensing or other regulatory controls shall be referred to the Auditor by a concurrent resolution in order to analyze the probable effects of the proposed regulatory

measure and to assess whether its enactment is consistent with the policies set forth in section 26H-2, HRS.

Our understanding is that there has been no concurrent resolution adopted regarding school psychologists as required by section 26H-2, HRS. Accordingly, we recommend that the bill be held until such time as the concurrent resolution has been adopted and the Auditor's report has been completed and submitted to the Legislature.

Thank you for the opportunity to provide testimony.



UNIVERSITY OF HAWAII SYSTEM

Legislative Testimony

Testimony Presented Before the
House Committee on Lower and Higher Education
Tuesday, March 12, 2019 at 2:30 p.m.

By

Nathan Murata

Dean, College of Education
University of Hawai'i at Mānoa

And

Donald Straney,

Vice President for Academic, Planning and Policy
University of Hawai'i System/Campus

SB 818 SD2 – RELATING TO SCHOOL PSYCHOLOGIST

Chair Woodson, Vice Chairs Hashem and Perruso, and members of the committee:

Thank you for the opportunity to provide testimony on SB 818 SD2, which provides specific licensure requirements for school psychologists employed by schools to be exempt from licensure requirements under Chapter 465. The College offers the following comments.

The College supports the licensure of School Psychologists through the Hawai'i Teacher Standards Board (HTSB). While there is no certification licensure for School Psychologist, it is important to have specific conditions in which they deliver service to an array of students and community. This inconsistency between licensed and unlicensed School Psychologist may cause confusion and inequity within the profession. Because the State does not have certification of licensure for school psychologists, it is important to specify the conditions in which a school psychologist is exempt from licensure under chapter 465. Consequently, it is necessary to establish a licensure program to ensure the employment of qualified school psychologists to work within the scope of a school setting only and to allow schools utilizing school psychologists to properly seek available federal Medicaid funds.

Thank you for the opportunity to testify.

March 12, 2019

COMMITTEE ON LOWER & HIGHER EDUCATION

Hawai`i State Capitol
415 South Beretania Street

Aloha Chair Woodson and Representatives:

The Hawai`i Association of School Psychologists (HASP) believes that licensure is important for all professionals that are entrusted to care for students, especially those with special needs. HRS 465 protects the professional integrity of the term “psychology” by ensuring that non-licensed individuals cannot practice psychology. This public protection ensures that specialized training and expertise is required to practice psychology. Currently, School Psychologists are ‘exempt’ from having to have licensure to practice in the educational setting (HRS465) and have had no credentialing in the state of Hawai`i. Hawai`i is the **only** state in the nation that allows this. This exemption has allowed individuals who do not have graduate training in school psychology and who do not meet the nationally accepted certification standard to practice “psychology” within the educational setting. We are asking for the legislators support to establish licensing in Hawai`i, in that it nullifies that exemption and ensures that students receive services from highly qualified and licensed professionals. Only certificated or licensed professionals are billable under Medicaid, so the current exemption does not allow for the Department of Education to bill for any services or evaluations conducted by school psychologists at this time. Licensing of school psychologists would be another avenue for the DOE to generate funds under Medicaid.

Graduate training in school psychology and a supervised internship aligns with the Practice Model set forth by the National Association of School Psychologists (NASP). The Practice Model outlines the professional expectations of respecting the dignity and rights of all persons and maintaining professional competency and integrity in professional relationships to foster and maintain the public trust. Our practice model outlines the training of school psychologists that requires them to be forthright about their qualifications, competencies, and roles. We work in full cooperation with other professional disciplines to meet the needs of students and families and avoid multiple relationships that diminish their professional effectiveness. We maintain the public trust by respecting law and encouraging ethical conduct. When untrained and unqualified persons are employed as a ‘school psychologist’ under this current exemption in HR 465, but do not meet the graduate level training requirements, the integrity of the profession is compromised and the public is not protected. The training of school psychologists is unique in that we have extensive training in cognitive, academic, social/emotional, behavioral, and adaptive assessment practices and training to ensure these measures are fair, reliable and valid. When these assessments are not utilized and administered as they were designed by properly trained professionals, the students are not being fairly assessed, which can result in inaccurate results. The research is clear that students who are identified with special learning needs are at a higher risk for a number of negative outcomes, such as dropping out of school, qualifying for lower-level jobs, or becoming involved in criminal activity. Raising the standards of practice for all school psychologists working in the state of Hawai`i will in turn increase appropriate service delivery to those students most in need. The Sunset Evaluation of 1987 (and referencing the Sunset Evaluation of 1981) indicated Psychologists needed licensing; there was never an exception for any type of psychologist to practice without a license. For this reason, School Psychologists should be included in HR 465 without a new sunrise.

Hawai`i Association of School Psychologists asks that you support licensing of school psychologists under DCCA to ensure that all children in Hawai`i are afforded the same protection of a licensed and credentialed professional working within their scope of practice. Please see the revised suggested language under HB384. Respectfully Submitted:

Leslie A. Baunach, MA/CAS, NCSP
HASP Legislative Representative
NASP Delegate-Hawaii

Testimony Regarding SB818
Licensure for School Psychologists in Hawaii
Tuesday March 12, 2019

Aloha,

I am a School Psychologist from the island of Maui and am writing in support of Hawaii State Legislature Bill SB818, which would establish licensure requirements for School Psychologists in the state of Hawaii.

I have previously worked in states requiring licensing for School Psychologists (currently all states have this requirement with the exception of Hawaii) and recognize the importance of hiring credentialed, certified, and licensed School Psychologists to meet the critical demands of this position. Requiring School Psychologists to meet the high-level expectations that licensure would necessitate will ensure that our keiki are receiving assessment services, psycho-educational evaluations, evidence-based interventions, and program development by individuals qualified and trained to make data-based decisions to improve student engagement, learning, and outcomes.

Practicing under the professional title of “School psychologist” when one is not credentialed and trained to the degree designated to hold that title is not only misleading, but potentially dangerous and damaging. Those who would meet the purposed requirements of School Psychology licensing in the State of Hawaii will have demonstrated the rigorous training specific to School Psychology graduate work, practicum, and internship mastery. School Psychologists who meet this standard will represent practitioners who have received extensive training in the roles and duties that the title represents. Licensing must be established for School Psychologists practicing in Hawaii and I urge you to support this bill and adopt the appropriate language as included in testimony from the Hawaii Association of School Psychologists.

Mahalo for the opportunity to submit testimony.

Holly Hoke, Ed.S.
Nationally Certified School Psychologist

Jared Kono, Ed.S., PPS
PO Box 1572
Wailuku, HI 96793
(808) 281-8206

3/11/2019

Re: SB818

Aloha

I am writing to support SB818. As a School Psychologist who works in the Maui District I believe it is imperative to have licensed and credentialed School Psychologists. Families expect school personnel to have the proper training in order to provide legal, ethical and professional practice, including assessments, data-based decision making, and provision of services for Hawaii's youth. Many other school personnel within the State of Hawaii Department of Education including Teachers, Speech and Language Specialists, Occupational Therapists and Physical Therapists hold state licensures. School Psychologists should be no different. The above mentioned professionals are all a part of school teams who make educational decisions that directly impact children and their families. It is important that we not only have staff members who care about the well-being of children but also those who have the proper credentials as well.

Respectfully Submitted,

Jared Kono, Ed.S., PPS
School Psychologist

SB-818-SD-2

Submitted on: 3/11/2019 10:50:57 AM

Testimony for LHE on 3/12/2019 2:30:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
David Kenney	Individual	Support	No

Comments: