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**PRESENTATION OF THE
PROFESSIONAL AND VOCATIONAL LICENSING DIVISION**

TO THE HOUSE COMMITTEE ON HEALTH

TWENTY-EIGHTH LEGISLATURE
REGULAR SESSION OF 2016

Wednesday, February 3, 2016
8:30 a.m.

**TESTIMONY ON HOUSE BILL NO. 1937, RELATING TO SCHOOL
PSYCHOLOGISTS.**

TO THE HONORABLE DELLA AU BELATTI, CHAIR,
AND MEMBERS OF THE COMMITTEE:

My name is May Ferrer, Executive Officer for the Board of Psychology, Professional and Vocational Licensing Division, Department of Commerce and Consumer Affairs ("Department"). The Department appreciates the opportunity to submit testimony on House Bill No. 1937, Relating to School Psychologists.

The purpose of House Bill No. 1937 is to establish a school psychologist licensing program within the Department to be administered by the Director of Commerce and Consumer Affairs.

House Bill No. 1937 creates a new chapter in the Hawaii Revised Statutes ("HRS") to regulate school psychologists. Section 26H-6, HRS, requires that new

regulatory measures being considered for enactment be referred to the State Auditor for a sunrise analysis. Referral is required to be made by concurrent resolution that identifies a specific legislative bill to be analyzed. The statute further requires that the analysis shall set forth the probable effects of regulation, assess whether its enactment is consistent with the legislative policies of the Hawaii Regulatory Licensing Reform Act, and assess alternative forms of regulation.

Therefore, this bill should be deferred until a sunrise analysis on this measure is conducted by the Auditor.

For the Committee's information, the Board of Psychology will have an opportunity to review this measure at its February 20, 2016 meeting, after which time it may provide additional comments.

Thank you for the opportunity to provide comments on House Bill No. 1937.



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

Date: 02/03/2016
Time: 08:30 AM
Location: 329
Committee: House Health

Department: Education

Person Testifying: Kathryn S. Matayoshi, Superintendent of Education

Title of Bill: HB 1937 RELATING TO SCHOOL PSYCHOLOGISTS.

Purpose of Bill: Requires the licensure of school psychologists in both the public and private sectors of employment.

Department's Position:

The Department of Education (Department) recognizes the intent of HB 1937 to require the licensure of school psychologists in both the public and private sectors of employment and offers the following comments.

Currently, 25 of 86 school psychologist positions statewide are vacant. Notably, a graduate program for School Psychology in Hawaii no longer exists and licensure will not increase salaries of school psychologists employed to serve Hawaii's public schools.

The Department is willing to meet with stakeholders to discuss how to better align with best practices and attract applicants.

Thank you for this opportunity to provide testimony on HB 1937.

1. What are the bill numbers?
 - a. For the 2016 Hawaii Legislative session, the School Psychologist Licensing Bill was introduced on both house and senate sides
 - b. On the house side, the bill is HB1937:
http://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=HB&billnumber=1937&year=2016
 - c. On the senate side the bill is SB2612:
http://www.capitol.hawaii.gov/measure_indiv.aspx?billtype=SB&billnumber=2612&year=
2. Why do School Psychologists need to be licensed in Hawaii?
 - a. State laws and codes that regulate the practice of school psychologists by state education agencies (NASPonline.org) need to be in place to protect the public. Credentialing and licensing the practice helps protect services delivered to children and families in schools
 - b. Currently, Hawaii is the only state without a way to license or credential school psychologists, thus compromising the integrity of the profession in our state
 - c. The bill ensures adequate training, passing of the PRAXIS test, and alignment with the National Association of School Psychologists practice model, ethics and standards
 - d. Licensing allows for services that School Psychologists provide to be billed under Medicaid
3. Will this make it more difficult to fill school psychologist positions?
 - a. Currently, it takes anywhere from 4-6 months from the time a school psychologist applies until they start in a permanent position in the Hawaii DOE
 - b. Other positions that have an established licensing prior to application (like speech/language pathologists) report that it takes approx. 2 months between application and start dates
 - c. By taking the burden of screening transcripts, internship, experience, and current licensing/certification off of the DOE HR department, applicants will be processed faster
 - d. To date, there is no graduate program for School Psychologists in Hawaii resulting in all professionals needed to fill vacancies having to come from the mainland. Having an established licensing program will help expedite the hiring which will make it possible for qualified candidates to be placed in schools more quickly.
4. Does licensing allow School Psychologists to work beyond the DOE?
 - a. The current draft of the bills allows for *licensed* School Psychologists to work not just in DOE, but also for early intervention programs, private schools, universities, and as part of developmental centers/teams.
 - b. The bill DOES NOT allow for private practice in the state of Hawaii, except as established in ACT 465 for licensed doctoral psychologists (already standing law)
5. How can I get involved?
 - a. Click on one of the links above, then hit the "Submit Testimony" button
 - b. You'll then be prompted to sign in. Please register if you have not already done so
 - c. Enter your information, then make sure to check "Support" under Testifier position
 - d. Please come down to the capitol if you're available, but submit written testimony regardless

HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 10:03 PM
To: HLTtestimony
Cc: Shauna_Gega@notes.k12.hi.us
Subject: Submitted testimony for HB1937 on Feb 3, 2016 08:30AM

HB1937

Submitted on: 2/2/2016

Testimony for HLT on Feb 3, 2016 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Shauna Gega	Hawai'i Association of School Psychologists	Support	No

Comments: I am in full support of the School Psychologist licensing bill for several reasons. First, the processing time to obtain a job as a school psychologist in Hawai'i is a very long one. It took seven months from the time of my application submittal to the time I was called for an interview in June. After I was interviewed and offered employed, it took another four months until I was actually called to start work. This long process can be very frustrating for individuals that would like to work in Hawai'i. Not only that, the process can take so long that qualified candidates look elsewhere for employment. There is too much of a shortage of school psychologists in Hawai'i for that to happen. Second, I would like to be able to obtain jobs in different organizations such as early intervention programs, private schools, universities, and as part of developmental centers/teams. Right now, my only option is to be a school psychologist in the DOE. Other professions like counselors, occupational therapists, and speech/language pathologists have options. They are able to find employment at schools, hospitals, clinics, and early intervention programs. Third, with the licensing strictly pertaining to school psychologists, other applicants who are not qualified or trained to work as a school psychologist will not be wrongly hired. For instance, I have heard of individuals with degrees in counseling obtaining jobs as a school psychologist in Hawai'i. This has been a problem because they are not trained to be school psychologists. While they are able to do counseling, they are not trained to administer and interpret assessments, conduct psychoeducational evaluations of students, and conduct functional behavior assessments of students. This compromises the integrity of the school psychology profession.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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From: mailinglist@capitol.hawaii.gov
Sent: Monday, February 01, 2016 11:35 PM
To: HLTtestimony
Cc: hoelzfamil@gmail.com
Subject: *Submitted testimony for HB1937 on Feb 3, 2016 08:30AM*

HB1937

Submitted on: 2/1/2016

Testimony for HLT on Feb 3, 2016 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Hoelz	Individual	Support	No

Comments:

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Sent: Monday, February 01, 2016 11:34 PM
To: HLTtestimony
Cc: hoelzfamil@gmail.com
Subject: *Submitted testimony for HB1937 on Feb 3, 2016 08:30AM*

HB1937

Submitted on: 2/1/2016

Testimony for HLT on Feb 3, 2016 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Nicole Hoelz	Individual	Support	No

Comments:

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From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 10:10 AM
To: HLTtestimony
Cc: esteban_walstrum@notes.k12.hi.us
Subject: Submitted testimony for HB1937 on Feb 3, 2016 08:30AM

HB1937

Submitted on: 2/2/2016

Testimony for HLT on Feb 3, 2016 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Esteban L Walstrum, Ed.S., NCSP	Individual	Support	No

Comments: Recently reauthorization of the Elementary and Secondary Education Act of 1965 adopted as the Every Student Succeeds Act (ESSA) describes SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDER.—as a State-licensed or State-certified professional to ensure that every child achieves. It is equally important to have highly qualified mental health providers in the schools as it is to have highly qualified teachers in classrooms. The rigorous training, supervision, and testing required of school counselors and school psychologists to obtain national certification is comparable to national teacher certification. This fulfillment of accepting the National Certification as our state-certification here in Hawaii will ensure that our students obtain optimal services provided by our well trained and educated professionals.

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 8:54 PM
To: HLTtestimony
Cc: psybri@hotmail.com
Subject: Submitted testimony for HB1937 on Feb 3, 2016 08:30AM
Attachments: Testimony.HB1937.SP.Licensure.docx

HB1937

Submitted on: 2/2/2016

Testimony for HLT on Feb 3, 2016 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Erin Briley	Individual	Support	No

Comments:

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HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 10:43 PM
To: HLTtestimony
Cc: felyebner@yahoo.com
Subject: Submitted testimony for HB1937 on Feb 3, 2016 08:30AM

HB1937

Submitted on: 2/2/2016

Testimony for HLT on Feb 3, 2016 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Fely Ebner	Individual	Support	No

Comments: As a School Psychologist working with the State of Hawaii DOE School Based Behavioral Health for 6 years, I support HB1937.

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Opposition of HB1937 and SB2612

I have been with the State of Hawaii DOE for 12 years both as a Behavioral Health Specialist (2/2004-6/2014) and School Psychologist (as of 6/2014) for the Leeward District. I currently work in the Waianae Complex where it is hard to employ all levels of DOE and School Based Behavioral Health staff due to distance and cultural aspects.

I first came to Hawaii in 1973 and fell in love. I left for the mainland to continue my education at University of Massachusetts in Amherst and returned in 1980 in order to complete a Master's in Public Health. I left again to do my thesis for the Drug Epidemiology Unit at Boston University. I then followed my husband to California where he was employed in Silicon Valley as an engineer. I never stopped wanting to return home to Hawaii and help the kamalii in the public schools.

I attended California State University East Bay in 1994 where I completed a majority of School Psychology courses as well as counseling courses for my Master's Degree. At that time my husband became disabled requiring me to complete the counseling program which all I needed was my thesis. I had two children and a husband who needed care. I needed to become employed as soon as possible. Living in California would not be affordable due to many factors. I was fortunate to find employment in Arizona where I could provide a decent living for my children and husband.

During my time in Arizona, I told my husband, we needed to go back home to Hawaii. That is when I became employed as a Behavioral Health Specialist. As time went on, I realized I needed to expand my ability to help Hawaii's children. When I was transferred to Waianae, I had the opportunity to become a Temporary Assigned School Psychologist for approximately a year. During this time, I applied through DHRD and met the necessary requirements to apply for positions as a School Psychologist. I became officially employed as a School Psychologist as of March 2015.

It has been throughout the 12 years that I have been with the DOE that it has been a continuing problem to obtain School Psychologists especially from the mainland. This is for many reasons, affordability to live in Hawaii, pay scale, and no School Psychology program at UH, HPU, Chaminade, etc. To put more stringent requirements as licensure, certification, and praxis requirements will further depress the employment rate of School Psychologists in the State of Hawaii.

It would be more essential to first put a School Psychology program in a currently functioning University System before passing legislature to hinder the finding and hiring of School Psychologists. We should be fostering local talent to attend a local university.

I am 64 years old and **do not** intend to retire when I am 66. I want to keep working as long as I am able to. This bill will impact my ability to remain employed as a School Psychologist with the DOE. The terms in the bill state a grandfather clause that will allow non-licensed School Psychologist who did not get a degree in only School Psychology if they were employed as one no later than 1990. The bill also states that I cannot be employed as a School Psychologist after December 31, 2017.

Please do not allow this bill to pass.

Most Respectfully,

Jane Jamison, MS, LPC, LMHC, DCC State of Hawaii DOE SBBH School Psychologist

Jeffrey D. Stern, Ph.D.
Director of Social and Emotional Health, 'Iolani School
563 Kamoku St.
Honolulu, HI 96826

Representative Della Au Bellatti , Chair
Representative Richard P. Creagan, Vice Chair
House Committee on Health

Wednesday, February 3, 2016, 8:30 AM., Room 329

TESTIMONY IN OPPOSITION TO H.B. 1937
RELATING TO LICENSURE OF SCHOOL PSYCHOLOGISTS

Honorable Chair Bellatti, Vice Chair Creagan, and members of the House Committee on Health, my name is Jeffrey D. Stern, Ph.D. and I am a psychologist and Past President of the Hawai'i Psychological Association. I would like to provide testimony **in opposition** to HB 1937, as an individual, not representing either the Hawai'i Psychological Association or 'Iolani School.

As you know, Hawai'i continues to suffer from a serious shortage of school psychologists, necessitating incentives for recruitment. In addition, to my knowledge, and I apologize if I've erred here, there are no school psychology programs in Hawai'i to provide the necessary training and education. Creating a licensure law for school psychologists, while a great idea, is neither practical nor fair at this time. It seems to me that we are putting the cart before the horse, hoping that by requiring school psychologists to be licensed, programs will follow. Unfortunately, in order for a program to meet the rigorous requirements of NASP, it would have to have adequate resources in terms of faculty, course offerings, and internships with licensed supervisors, which has prevented schools like the University of Hawai'i, Argosy University, and Hawai'i Pacific University from having/maintaining such programs. I was personally approached by District Education Specialists here in Hawai'i, while serving as a full time faculty member in HPU's Department of Psychology, and offered incentives to create such a program, but the accreditation demands were prohibitive.

In addition, the language of the bill extends the licensure requirement to the private sector, where I now work. I serve as the Director of Social and Emotional Health at a private school. Even though the title is distinct, my job description overlaps considerably with that of a traditional school psychologist. This legislation would therefore limit private and public schools from being able to hire qualified psychologists (see p. 15) and would prevent me from being able to work in any school, even if my title was "Director of Social and Emotional Health," because the bill prohibits anyone who is not licensed from delivering school psychological services. Shouldn't it be up to the private institution to make that determination? Shouldn't I have the opportunity to pursue happiness in my career without having to go back to school, do additional internship hours, and take ANOTHER exam? I have certificates in maternal-child health and developmental disabilities from the University of Hawai'i, I am a faculty member of the Maternal Child Health-Leadership Education in Developmental Disabilities program with JABSOM, and have been deemed an expert witness in due process hearings involving special education eligibility. But the grandfather date in the bill (Dec. 31, 1990) would prohibit me from continuing in my current position, even with its unique title, and despite my education, training, experience and expertise. Even if the grandfather date were

changed to be current, allowing individuals like me to continue working, there would still be the glaring need for more school psychologists; a need that is not currently nor likely to be met by educational institutions in Hawai'i any time soon. Please hold HB 1937 and do not consider moving it forward until there are local programs that would put qualified individuals into vacant positions AND individuals like me can be permitted to continue working in school settings.

Thank you for the opportunity to share my mana'o.

Sincerely,

Jeffrey D. Stern, Ph.D.
Past President, Hawai'i Psychological Association

HLTtestimony

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, February 02, 2016 9:02 PM
To: HLTtestimony
Cc: drsayball@gmail.com
Subject: Submitted testimony for HB1899 on Feb 3, 2016 08:30AM

HB1899

Submitted on: 2/2/2016

Testimony for HLT on Feb 3, 2016 08:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
michele sayball, ND, CPM	Individual	Oppose	No

Comments: RE: HB 1899 Relating to Licensure of Certified Professional Midwives In Oppostion
Although i do support CPMs pursuing recognition and state licensing so they may receive the same rights as other licensed health practitioners, I must oppose this bill AS IT'S WRITTEN, because it clearly seeks to regulate the entire practice of midwifery instead of just CPMs. This bill as written is restrictive, will limit consumer options and criminalize some presently practicing midwives. If this bill is revised to clearly apply only to CPMs and their practice and in no way affects other practitioners in the birth field, then i would consider supporting it. Please do not pass this bill as written, Michele Sayball, ND,CPM

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