

JAN 20 2017

A BILL FOR AN ACT

RELATING TO BEHAVIOR ANALYSIS SERVICES.

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

1 SECTION 1. Section 465D-7, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) This chapter is not intended to restrict the practice
4 of other licensed or credentialed practitioners practicing
5 within their own recognized scopes of practice and shall not
6 apply to:

7 (1) An individual working within the scope of practice or
8 duties of another licensed profession that overlaps
9 with the practice of behavior analysis; provided that
10 the person does not purport to be a behavior analyst;

11 (2) An individual who implements or designs applied
12 behavior analysis services and possesses a board
13 certification [as an assistant behavior analyst by]
14 from a nationally certified agency, such as the
15 Behavior Analyst Certification Board, and who
16 practices in accordance with the most recent
17 supervisory and ethical requirements adopted by the



1 ~~[Behavior Analyst Certification Board]~~ certified
2 agency under the direction of a behavior analyst
3 licensed in this State;

4 (3) An individual who directly implements applied behavior
5 analysis services under the supervision of a licensed
6 professional within the scope and competency of that
7 licensure and:

8 (A) Is credentialed ~~[as a registered behavior~~
9 ~~technician]~~ by the Behavior Analyst Certification
10 Board, Behavioral Intervention Certification
11 Council, or Qualified Applied Behavior Analysis
12 credentialing board, and is under the direction
13 of a ~~[behavior analyst]~~ professional licensed in
14 this State~~;~~

15 ~~(B) Is a direct support worker who provides autism~~
16 ~~treatment services pursuant to an individualized~~
17 ~~education plan on or before January 1, 2019;~~
18 ~~{or}~~ and acting within the scope of that
19 licensure; or

20 ~~{(C)}~~ (B) Is a direct support worker who provides
21 medicaid home and community-based services



1 pursuant to section 1915(c) of the Social
2 Security Act on or before January 1, 2019;
3 provided that for purposes of this paragraph, "direct
4 support worker" means a teacher or paraprofessional
5 who directly implements intervention or assessment
6 plans under supervision and does not design
7 intervention or assessment plans;

8 (4) A family member or legal guardian implementing an
9 applied behavior analysis plan and who acts under the
10 direction of a behavior analyst licensed in this
11 State;

12 (5) An individual who engages in the practice of behavior
13 analysis with nonhuman or nonpatient clients or
14 consumers including but not limited to applied animal
15 behaviorists and practitioners of organizational
16 behavior management;

17 (6) A matriculated graduate student or postdoctoral fellow
18 whose activities are part of a defined behavior
19 analysis program of study, practicum, or intensive
20 practicum; provided that the student's or fellow's
21 activities or practice is directly supervised by a



Report Title:

Behavior Analysts; Licensure; Certification

Description:

Expands treatment capacity of behavior analysis services by allowing individuals with certain certification and under supervision conditions to implement behavior analysis services.

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

