STAND. COM. REP. NO.

130 -18

Honolulu, Hawaii

MAR 23 , 2018

RE: S.B. No. 2496

S.D. 1 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Twenty-Ninth State Legislature Regular Session of 2018 State of Hawaii

Sir:

Your Committee on Consumer Protection & Commerce, to which was referred S.B. No. 2496, S.D. 1, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to clarify the exemptions and terminology in the behavior analysts professional regulatory system by clarifying that:

- (1) Individuals who design or implement applied behavior analysis services for participants in the Medicaid Home and Community-based Services Waiver Program pursuant to section 1915(c) of the Social Security Act are exempt from licensure as behavior analysts;
- (2) Certain individuals implementing an applied behavior analysis intervention under the supervision of a licensed professional are exempt from licensure as behavior analysts; and
- (3) The practice being regulated is properly referred to as applied behavior analysis.

The Department of Health, Department of Human Services, State Council of Development Disabilities, The Arc in Hawaii, Easterseals Hawaii, Hawaiii Psychological Association, The ARC of Kona, Aloha Behavioral Associates, and two individuals supported Hawai'i Association for Behavior Analysis and three this measure. individuals opposed this measure. The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs, Board of Psychology, and Hawaii Medical Service Association provided comments.

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. 2496, S.D. 1, H.D. 1, and recommends that it be referred to your Committee on Finance.

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

ROY M. TAKUMI, Chair

State of Hawaii
House of Representatives
The Twenty-ninth Legislature

Record of Votes of the Committee on Consumer Protection & Commerce

1	Committee Referral:			Date: 3/21/18		
SB 2496, SDI, HDI HHS, CPC, FIN 3/21/18 The committee is reconsidering its previous decision on the measure.						
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)						
CPC Members		Ayes	Ayes (W	/R)	Nays	Excused
1. TAKUMI, Roy M. (C)						
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2. ICHIYAMA, Linda (VC)	e 1-90, e 11-11 e 11-11 e 11-11 e 11-11	✓			The second secon	
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3. AQUINO, Henry J.C.		V			e y ^{err} yer	(A)
4. ITO, Ken						
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5. JOHANSON, Aaron Ling		addite (Ban				
6. LoPRESTI, Matthew S.					<u> </u>	
		No.				
7. MIZUNO, John M.					entre est de la companya de la comp	1
8. SAY, Calvin K.Y.		✓				
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9. TOKIOKA, James Kunane		/				
10 VAMANE Brown I						
10. YAMANE, Ryan I.						
11. McDERMOTT, Bob		7				<u> </u>
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TOTAL (11)		8	0		ð	3
The recommendation is: Adopted It joint referral, did not support recommendation. committee acronym(s)						
Vice Chair's or designee's signature:						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						