

Honolulu, Hawaii

**MAR 01 2019**

RE: S.B. No. 818  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2019  
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred S.B. No. 818, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO SCHOOL PSYCHOLOGISTS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Establish licensure requirements for school psychologists to be administered by the Hawaii Teacher Standards Board; and
- (2) 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.

Your Committee received testimony in support of this measure from the Hawaii Teacher Standards Board, Hawai'i Association of School Psychologists, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, and eight individuals. Your Committee received comments on this measure from the Department of the Attorney General, Department of Education, and Hawai'i Psychological Association.

Your Committee finds that, under existing law, school psychologists are exempt from licensure when practicing in a



school setting and have no credentialing requirements. Hawaii is the only state in the country that allows this, meaning individuals who do not have graduate training in school psychology, and who do not meet nationally accepted certification standards, are allowed to practice psychology within an educational setting. Your Committee finds that the integrity of the profession is comprised and the public is not protected when these unlicensed and uncertified persons are employed in a school setting under the current licensing exemption. Furthermore, only certified or licensed professionals are billable under Medicaid, so the existing exemption does not allow for the Department of Education to bill for any services or evaluations conducted by school psychologists at this time. This measure brings Hawaii law into alignment with the rest of the country by requiring licensure for school psychologists and promotes efforts to protect children by adopting nationally accepted standards for licensure.

Your Committee has amended this measure by:

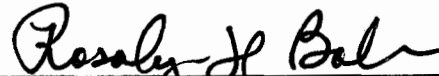
- (1) Clarifying that licensure requirements for school psychologists shall be prescribed in a manner consistent with the National Association of School Psychologists standards, or successor organization, in a school setting;
- (2) Specifying that a person licensed as a school psychologist shall practice only within a school setting and shall not engage in private practice;
- (3) Renaming the "Hawaii Teacher Standards Board" to the "Hawaii Teacher Standards and School Psychologists Board";
- (4) Amending the composition of the Hawaii Teacher Standards and School Psychologists Board to include two school psychologists;
- (5) Requiring the Hawaii Teacher Standards and School Psychologists Board to report to the Legislature prior to the convening of the Regular Session of 2022;
- (6) Updating the purpose section;



- (7) Inserting a sunset date of July 1, 2026;
- (8) Inserting an effective date of July 1, 2050, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 818, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 818, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Commerce, Consumer  
Protection, and Health,




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ROSALYN H. BAKER, Chair



The Senate  
Thirtieth Legislature  
State of Hawai'i

**Record of Votes**  
**Committee on Commerce, Consumer Protection, and Health**  
**CPH**

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 818 SD1	EDU, CPH	2/27/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
KEOHOKALOLE, Jarrett	✓			
NISHIHARA, Clarence K.				✓
RUDERMAN, Russell E.				✓
THIELEN, Laura H.		✓		
FEVELLA, Kurt	✓			
<b>TOTAL</b>	4	1		2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; margin-top: 10px;">  </div>				
<b>Distribution:</b> Original    Yellow    Pink    Goldenrod File with Committee Report    Clerk's Office    Drafting Agency    Committee File Copy				

\*Only one measure per Record of Votes