



S E A C
Special Education Advisory Council

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March 14, 2019

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Advisory Council**

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Committee on Lower & Higher Education
Representative Takashi Ohno, Chair
Committee on Intrastate Commerce
Hawaii State Capitol
Honolulu, HI 96813

RE: SB 341, SD 2 - Related to the Practice of Behavior Analysis

Dear Chairs Woodson and Ohno and Members of the Committees,

The Special Education Advisory Council (SEAC), Hawaii's State Advisory Panel under the Individuals with Disabilities Education Act (IDEA), **strongly supports** SB 341, SD 2 which makes permanent exemptions from the behavior analyst licensing requirements for certain teachers working with a licensed behavior analyst or licensed psychologist as well as licensed special education teachers and individuals in accredited special education training programs whose scope of practice and training includes applied behavior analysis.

SEAC was an early and persistent supporter of legislation mandating health insurance coverage for children and youth with autism. Passage of this legislation required the concurrent establishment of a behavior analyst program and specific licensing requirements for behavior analysts. The resulting statute (HRS 465D-7) purposefully exempted from ABA licensure other licensed or credentialed practitioners practicing within their own recognized scopes of practice.

Unfortunately, the wording of the statute and subsequent interpretations have had the unintended effect of limiting access to timely and appropriate ABA services to students who need these interventions in order to reach their academic, behavioral and functional goals. Last session, the right of psychologists to design and implement ABA services was acknowledged. SB 341, SD 2 goes justifiable further to lift the restriction of ABA practice by licensed special education teachers.

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Testimony regarding SB 341, SB 2
March 14, 2019
Page 2

SEAC recently learned that the current language of HRS 465D-7 is jeopardizing the UH College of Education's nationally accredited and state approved teacher education program by prohibiting the preparation of special education teachers to conduct behavioral assessments or to develop and implement interventions based on applied behavioral analysis. Without this training, these teacher candidates will not meet state requirements or be able to answer required questions on the state licensing exam regarding applied behavior analysis.

SEAC believes that SB 341, SB 2 is needed to prevent further shortages of qualified special education teachers and to help ensure timely and appropriate ABA interventions to our most vulnerable students.

Respectfully,


Martha Guinan
SEAC Chair


Ivalee Sinclair
Legislative Committee Chair