



# UNIVERSITY OF HAWAII SYSTEM

## Legislative Testimony

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Testimony Presented Before the  
Senate Committee on Commerce, Consumer Protection, and Health  
Tuesday, February 26, 2019 at 9:00 a.m.

By  
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### SB 341 SD1 – RELATED TO THE PRACTICE OF BEHAVIOR ANALYSIS

Chair Baker, Vice Chair Chang and members of the committee:

Thank you for allowing us to testify. The University of Hawai'i System is providing comments on SB 341 SD1 Related to the Practice of Behavior Analysis. This legislation, and Section 465D-7, Hawai'i Revised Statutes, indicates that the bill "is not intended to restrict the practice of other licensed or credentialed practitioners practicing within their own recognized scopes of practice."

We are concerned with the current wording of this legislation and statute because it restricts the practice of licensed special education teachers—licensed professionals who have behavior analysis clearly within their scope of training and practice. In turn, this legislation prevents the University of Hawai'i at Mānoa's College of Education (UHM-COE) from delivering our nationally accredited and state approved teacher education program. Specifically, the current legislation does not allow us to prepare special education teachers to conduct behavioral assessment or to develop and implement interventions based in applied behavior analysis. If we deliver our state-approved and nationally accredited special education teacher preparation program that includes training in behavior analysis assessment and interventions, we are in violation of Section 465D-7, Hawaii Revised Statutes. Without applied behavior analysis in their training, special education teacher candidates who graduate from the University of Hawai'i at Mānoa (UHM) will not meet state licensing requirements (completion of a non-accredited program) and will not be prepared to pass the state licensing exam (Praxis) which includes questions on applied behavior analysis. Given the extreme and chronic shortage of licensed special education teachers in our state, it is in the interest of the state of Hawai'i to allow UHM-COE to fully implement its nationally accredited and state-approved special education teacher preparation programs.

Applied behavior analysis has a strong evidence base and is a foundation of special education assessment and instruction. The UHM-COE and Colleges of Education

across the nation have been preparing special educators in the area of severe disabilities and autism to implement behavior analysis procedures since the early 1970s – about 30 years prior to the licensing of behavior analysts. The UHM program for preparing behavior analysts (also in the UHM-COE) uses the core courses of our special education teacher training program in the area of severe disabilities/autism. Our special education teacher graduates are well-trained in (a) principles of behavior, (b) behavioral assessment methods, (c) behavioral intervention methods, (d) procedures to promote generalization, (e) communication assessment and intervention, (f) functional behavior assessment for challenging behavior, and (g) positive behavior support interventions – scope of practice areas that overlap with those of behavior analysts. The fact that applied behavior analysis is within the training and scope of practice of special education teachers is evidenced in our journals, textbooks, accreditation standards, and licensing exams, including the Special Education Praxis exam required by the Hawai'i Teacher Standards Board.

The license and recognized scope and practice of special education teachers in the state of Hawai'i must be respected and supported. The current wording of SB 341 and Section 465D-7, Hawaii Revised Statutes, does not do that. Please rework the language of this bill to allow special education teachers, qualified licensed psychologists, and behavior analysts to meet the needs of Hawai'i's special education students. The licensing of behavior analysts should not restrict the recognized scope and practice of licensed special education teachers and other qualified professionals.

Thank you.