



EXECUTIVE CHAMBERS  
HONOLULU

LINDA LINGLE  
GOVERNOR

GOV. MSG. NO. **535**

April 24, 2006

The Honorable Robert Bunda, President  
and Members of the Senate  
Twenty-Third State Legislature  
State Capitol, Room 003  
Honolulu, Hawaii 96813

Dear Mr. President and Members of the Senate:

This is to inform you that on April 24, 2006, the following bill was signed into law:

SB2340 SD1

A BILL FOR AN ACT MAKING AN EMERGENCY  
APPROPRIATION TO THE DEPARTMENT OF  
HEALTH FOR EARLY INTERVENTION SERVICES.  
(ACT 18)

Sincerely,

A handwritten signature in black ink, appearing to read "Linda Lingle".

LINDA LINGLE

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# A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH  
FOR EARLY INTERVENTION SERVICES.

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

1 SECTION 1. This Act is recommended by the governor for  
2 immediate passage in accordance with section 9 of article VII of  
3 the Constitution of the State of Hawaii.

4 SECTION 2. Although funds were appropriated to the  
5 department of health for early intervention services for the  
6 period beginning July 1, 2005 and ending June 30, 2006, the  
7 department of health has a critical need for additional funds.

8 On May 31, 2005, the State of Hawaii was deemed in  
9 compliance with the Felix Consent Decree, marking the end of  
10 federal court oversight for services, including early  
11 intervention services. The department of health must continue  
12 to carry out its obligations to provide early intervention  
13 services for children age zero to three years with a  
14 developmental delay or biological or environmental risk, as  
15 mandated by part C of the Individuals with Disabilities  
16 Education Improvement Act of 2004 (P.L. 108-446), sections 321-  
17 351 to 321-357, Hawaii Revised Statutes, and the Hawaii early



1 intervention state plan. The department must ensure that  
2 eligible children and their families receive the services  
3 mandated by part C of the Individuals with Disabilities  
4 Education Improvement Act of 2004 that are identified on their  
5 individual family support plans.

6 Existing funds will be expended before the end of this  
7 fiscal year, due to increased costs for early intervention  
8 purchase-of-service programs to evaluate additional children and  
9 serve them in "natural environments" as required by the  
10 Individuals with Disabilities Education Improvement Act of 2004.  
11 These purchase-of-service programs are providing an increased  
12 number of multi-disciplinary comprehensive developmental  
13 evaluations of a child's cognitive, physical, communication,  
14 social or emotional, and adaptive development, as required by  
15 part C of the Individuals with Disabilities Education  
16 Improvement Act of 2004, P.L. 108-446, due to an increased  
17 number of children referred by public health nurses and healthy  
18 start programs. To serve more children, current programs have  
19 expanded and three new purchase-of-service programs in windward,  
20 central, and leeward Oahu have been added. These programs serve  
21 additional children who previously received therapy services  
22 from fee-for-service providers and care coordination from early



1 intervention section, early childhood services programs, public  
2 health nurses, or healthy start; and additional children under  
3 age three years who are confirmed victims of child abuse or  
4 neglect, as required by the Child Abuse Prevention and Treatment  
5 Act and the Individuals with Disabilities Education Improvement  
6 Act of 2004. The Individuals with Disabilities Education  
7 Improvement Act of 2004 also requires a family-centered but more  
8 costly approach of providing services in "natural environments"  
9 or community-based settings, such as at families' homes,  
10 community preschools, and parks which increases travel time for  
11 service providers to reach the "natural environment", and  
12 necessitates a smaller caseload, an increased number of  
13 providers, and results in increased costs per child.

14 The purpose of this Act is to increase the authorized  
15 general fund appropriation by \$3,200,928, for early intervention  
16 services in the department of health for fiscal year 2005-2006.

17 SECTION 3. There is appropriated out of the general  
18 revenues of the State of Hawaii the sum of \$3,200,928, or so  
19 much thereof as may be necessary, for fiscal year 2005-2006 to  
20 carry out the purposes of this Act.

21 SECTION 4. The sum appropriated shall be expended by the  
22 department of health.



1 SECTION 5. This Act shall take effect upon its approval.



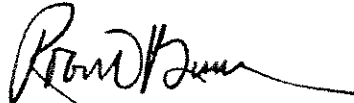
GOVERNOR OF THE STATE OF HAWAII

Approved this day: APR 24 2006

**THE SENATE OF THE STATE OF HAWAII**

Date: March 7, 2006  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the Senate of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.

  
President of the Senate

  
Clerk of the Senate

**THE HOUSE OF REPRESENTATIVES  
OF THE STATE OF HAWAII**

Date: April 11, 2006  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Third Reading in the House of Representatives of the Twenty-third Legislature of the State of Hawaii, Regular Session of 2006.

  
Speaker, House of Representatives

  
Clerk, House of Representatives