
A BILL FOR AN ACT

RELATING TO DEVELOPMENTAL DISABILITIES.

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

1 SECTION 1. Section 333F-2, Hawaii Revised Statutes, is
2 amended by amending subsection (c) to read as follows:

3 "(c) Supports and services the department shall administer
4 include~~[7]~~ but shall not be limited to:

5 (1) Early identification and evaluation of persons with
6 developmental disabilities or mental retardation;

7 (2) Development, planning, and implementation in
8 coordination with other federal, state, and county
9 agencies, of service programs for persons with
10 developmental disabilities or mental retardation;

11 (3) Development and provision of service programs in the
12 public or private sectors through chapter 42F or
13 ~~chapter~~ 103F, for persons with developmental
14 disabilities or mental retardation;

15 (4) Establishment of a continuum of comprehensive services
16 and residential alternatives in the community to allow
17 persons with developmental disabilities or mental



- 1 retardation to live in the least restrictive,
2 individually appropriate environment;
- 3 (5) Development and implementation of a program for
4 single-entry access by persons with developmental
5 disabilities or mental retardation to services
6 provided under this chapter as well as referral to,
7 and coordination with, services provided in the
8 private sector or under other federal, state, or
9 county acts, and the development of an individualized
10 service plan by an interdisciplinary team;
- 11 (6) Collaborative and cooperative services with public
12 health and other groups for programs to prevent
13 developmental disabilities or mental retardation;
- 14 (7) Informational and educational services to the general
15 public and to lay and professional groups;
- 16 (8) Consultative services to the judicial branch of
17 government, educational institutions, and health and
18 welfare agencies whether the agencies are public or
19 private;
- 20 (9) Provision of community residential alternatives for
21 persons with developmental disabilities or mental
22 retardation, including [~~group homes and~~] homes meeting



1 ICF/MR standards[+], and in a setting of the person's
2 choice if the person with the help of family and
3 friends, if necessary, determines that the person can
4 be sustained with supports, the supports are attached
5 to the person, and adequate consideration and
6 recognition is given to the person's safety and
7 well-being;

8 (10) Provision of care at the skilled nursing level or in a
9 skilled nursing facility, as individually appropriate;

10 (11) Provision of other programs, services, or facilities
11 necessary to provide a continuum of care for persons
12 with developmental disabilities or mental retardation;

13 (12) Provision of case management services independent of
14 the direct service provider; and

15 (13) Development and maintenance of respite services in the
16 community for persons with developmental disabilities
17 or mental retardation."

18 SECTION 2. The department of health, state council on
19 developmental disabilities shall submit a preliminary report to
20 the legislature no later than twenty days prior to the convening
21 of the regular session of 2007 and a final report no later than



1 twenty days prior to the convening of the regular session of
2 2008. The reports shall contain but not be limited to:

- 3 (1) The number of persons with developmental disabilities
4 or mental retardation who choose to live independently
5 as provided by this Act;
- 6 (2) The financial impact this Act has had on the State;
7 and
- 8 (3) Any findings and recommendations, including any
9 proposed legislation.

10 SECTION 3. Statutory material to be repealed is bracketed
11 and stricken. New statutory material is underscored.

12 SECTION 4. This Act shall take effect upon its approval,
13 and shall be repealed on June 30, 2008; provided that section
14 333F-2, Hawaii Revised Statutes, shall be reenacted in the form
15 in which it read prior to this Act taking effect.



HB 2098 HD1

SD 1

CD 1

Report Title:

Health; Developmental Disabilities

Description:

Enables developmentally disabled or mentally retarded individuals the freedom to choose to live in a safe residential setting of their choice provided that they can be sustained with supports, and the supports are attached to that individual. Requires preliminary and final reports by the state council on developmental disabilities to the legislature. (HB2098 CD1)

