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# 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, and the supports are  
5            attached 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 shall submit a  
19           preliminary report to the legislature no later than twenty days  
20           prior to the convening of the regular session of 2007 and a  
21           final report no later than twenty days prior to the convening of



1 the regular session of 2008. The reports shall contain, but not  
2 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

**Report Title:**

Health; Developmental Disabilities

**Description:**

Requires community residential alternatives for persons with developmental disabilities or mental retardation to be in a setting of the person's choice if the person or the person's family and friends determine that the person can be sustained with supports, and the supports are attached to the person. Requires preliminary and final reports by the Department of Health to the Legislature. (HB2098 HD1)

