

H .B. NO. 2384

A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH
FOR THE FAMILY HEALTH SERVICES DIVISION.

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 healthy start services for the period
6 beginning July 1, 2005 and ending June 30, 2006, the department
7 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), section 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 the Individuals with Disabilities Education
4 Improvement Act part C that are identified on their individual
5 family support plans.

6 Appropriated funds will be expended before the end of this
7 fiscal year, due to a decrease in funds used to fund healthy
8 start purchase-of-service programs for home visiting services.
9 These purchase-of-service programs are providing support
10 services to families at risk, to assure healthy and safe child
11 development. To continue services at the present level, an
12 additional \$1,000,000 from the Early Intervention Special Fund is
13 needed. The current ceiling for the Early Intervention Special
14 Fund is \$4,203,974 for fiscal year 2005-2006. This measure will
15 increase the ceiling by \$1,000,000 to \$5,203,974.

16 SECTION 3. There is appropriated out of the early
17 intervention special fund the sum of \$1,000,000, or so much
18 thereof as may be necessary, for fiscal year 2005-2006 to be
19 used for healthy start purchase of service programs for home
20 visiting services.

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

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

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INTRODUCED BY:

Calvin K. H. Aug

BY REQUEST

JAN 23 2006

JUSTIFICATION SHEET

DEPARTMENT: Health

TITLE: A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE FAMILY HEALTH SERVICES DIVISION.

PURPOSE: To appropriate \$1,000,000 in Early Intervention Special Fund monies as an emergency appropriation for fiscal year 2005-2006 for the Department of Health's Healthy Start Program.

MEANS: An emergency appropriation of Early Intervention Special Funds monies for fiscal year 2005-2006.

JUSTIFICATION: The Healthy Start program is part of the Early Intervention system responsible for ensuring the provision of early intervention (EI) services for children age 0-3 years. EI services are mandated as part of the federal Individuals with Disabilities Education Act (IDEA) part C. Hawaii's definition includes serving children at developmental and environmental risk for developmental delay and those diagnosed with developmental delay. Health Start's home visitation services provide family support, training, and modeling of positive parenting techniques to assist families in supporting their child's development, and to reduce the families' risk for abusing or neglecting their children.

The increase in the ceiling of the early intervention special fund is needed to offset the impact of the reduction in overall funding to the program from fiscal year 2005-2006. Current allocations are not sufficient to cover the operating costs of the program.

Impact on the public: If these services are not provided, infants and children from birth to three years of age will not receive services.

Impact on the department and other agencies:
Additional funding is needed to ensure the State's compliance with the federal mandate (IDEA, Part C).

GENERAL FUNDS: None.

OTHER FUNDS: Early Intervention Special Fund.

PPBS PROGRAM
DESIGNATION: HTH 595.

OTHER AFFECTED
AGENCIES: Department of Budget and Finance.

EFFECTIVE DATE: Upon approval.