
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.

Report Title:

Infants and Children; Emergency Appropriation

Description:

Makes emergency appropriation (\$3,200,928) FY 2006, for early intervention services for infants and children from birth to 3 years of age with developmental delay or at biological or environmental risk for developmental delay. (SD1)

