

JAN 25 2006

A BILL FOR AN ACT

RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL.

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

1 SECTION 1. Section 321-353, Hawaii Revised Statutes, is
2 amended to read as follows:
3 **"§321-353 Hawaii early intervention coordinating council;
4 establishment.** (a) There is established within the department
5 for administrative purposes the Hawaii early intervention
6 coordinating council. Members shall be appointed for three-year
7 terms by the governor without the necessity of the advice and
8 consent of the senate. The membership of the council shall
9 consist of [~~fifteen~~] nineteen members selected from the
10 following:
11 (1) At least [~~three~~] two parents of infants, toddlers, or
12 children [~~under the~~] age [~~of seven~~] twelve or younger
13 with special needs;
14 (2) At least two parents of infants, toddlers, or children
15 age six or younger with special needs;
16 [~~(2)~~] (3) At least three public or private providers of
17 early intervention services;

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- 1 ~~[(3)]~~ (4) At least one representative from the
2 legislature;
- 3 ~~[(4)]~~ (5) At least one person involved in personnel
4 preparation;
- 5 ~~[(5)]~~ (6) At least one member representing the department
6 of education ~~[+]~~ preschool services for children with
7 special needs, or education of homeless children;
- 8 ~~[(6)]~~ (7) At least one member representing the department
9 of human services ~~[+]~~ medicaid, child care program, or
10 foster care;
- 11 (8) At least one member representing Head Start;
- 12 (9) At least one member representing the department of
13 commerce and consumer affairs insurance division; and
- 14 ~~[(7)]~~ (10) At least one member representing the ~~[office of~~
15 ~~the governor;]~~ department of health early intervention
16 services, or children's mental health; and
- 17 ~~[(8)]~~ ~~Other members representing private or public agencies~~
18 ~~involved in or interested in the payment for or~~
19 ~~provision of services to infants and toddlers with~~
20 ~~special needs and their families.]~~ (11) At least one
21 representative of the American Academy of Pediatrics
22 Hawaii Chapter. Any vacancy on the council shall be

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1 filled in the same manner in which the original
2 position was filled.

3 (b) The council shall elect its officers, and [~~eight~~] ten
4 members shall constitute a quorum. Members shall serve without
5 compensation but shall be reimbursed for expenses, including
6 travel expenses, necessary for the performance of their duties.

7 (c) The council shall meet at least quarterly and in such
8 places as it deems necessary. The meetings shall be publicly
9 announced, and be open and accessible to the general public.

10 (d) The council shall perform the following functions:

11 (1) Advise and assist the director in the identification
12 of the sources of fiscal and other support for
13 services for early intervention programs, assignment
14 of financial responsibility to the appropriate agency,
15 and the promotion of the interagency agreements;

16 (2) Advise and assist the department in the preparation of
17 applications and amendments thereto; [~~and~~]

18 (3) Advise the department of education regarding the
19 transition of toddlers with special needs to preschool
20 and other appropriate services; and

21 [3] (4) Prepare and submit an annual report to the governor
22 on the status of early intervention programs for

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1 infants and toddlers with special needs and their
2 families within the State."

3 SECTION 2. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 3. This Act shall take effect upon its approval.

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INTRODUCED BY: 

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BY REQUEST

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JUSTIFICATION SHEET

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DEPARTMENT: Health

TITLE: A BILL FOR AN ACT RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL.

PURPOSE: To revise the Hawaii Early Intervention Coordinating Council (HEICC) membership and duties to be consistent with the Individuals with Disabilities Education Improvement Act of 2004 (IDEA) (P.L. 108-446, Section 641) requirements regarding the State interagency coordination council.

MEANS: Amend section 321-353, Hawaii Revised Statute.

JUSTIFICATION: The HEICC membership should be consistent with the IDEA requirement that the State interagency coordinating council include the following individuals or representatives:

- (a) Parents of infants, toddlers, or children with disabilities age 12 or younger, including at least one parent of a child age 6 or younger (20% of members).
- (b) Providers of early intervention services (20% of members).
- (c) State legislature.
- (d) Personnel preparation.
- (e) State agencies involved in the provision of or payment for early intervention services.
- (f) Agency for preschool services.
- (g) State Medicaid agency.
- (h) Head Start agency.
- (i) Child care agency.
- (j) Agency for health insurance regulation.
- (k) Education of homeless children and youth.
- (l) State foster care representative.
- (m) Mental health agency.

The HEICC membership will also include a representative of the American Academy of

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Pediatrics, since children's health care providers are part of the system of services for children with special needs.

The HEICC duties should be consistent with the IDEA requirement that the State interagency coordinating council "advise the State educational agency regarding the transition of toddlers with disabilities to preschool and other appropriate services."

Adding the duty to advise and assist the Department of Education on the transition of toddlers with disabilities to preschool and other appropriate services will not be a burden for HEICC. There is currently a close working relationship between the Department of Health/Early Intervention Section and the Department of Education regarding the transition of children receiving early intervention services to preschool special education.

Impact on the public: The broader council membership will help to ensure the provision and coordination of early intervention services to meet the needs of infants and toddlers and their families.

Impact on the department and other agencies: Representatives from the department and other agencies will be invited to serve as members of the HEICC.

Adding the duty to advise and assist the Department of Education on the transition of toddlers with disabilities to preschool and other appropriate services will not be a burden for HEICC. There is currently a close working relationship between the Department of Health/Early Intervention Section and the Department of Education regarding the transition of children receiving early intervention services to preschool special education.

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GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: None.

OTHER AFFECTED
AGENCIES: Department of Education (preschool services for children with special needs, education of homeless children); Department of Human Services (Medicaid, child care program, and foster care); Department of Commerce and Consumer Affairs (health insurance regulation); Head Start.

EFFECTIVE DATE: Upon approval.