

STAND. COM. REP. NO.

2008

Honolulu, Hawaii

Feb. 9

, 2006

RE: S.B. No. 2338

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

• Your Committees on Health and Human Services, to which was referred S.B. No. 2338 entitled:

"A BILL FOR AN ACT MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE DEVELOPMENTAL DISABILITIES DIVISION,"

beg leave to report as follows:

The purpose of this measure is to make an emergency appropriation to the Department of Health for the State's Medicaid home and community-based services for the developmentally disabled or mentally retarded program, also known as the title XIX waiver program.

Your Committees received testimony in support of this measure from the Department of the Attorney General, the Department of Health, the State Council on Developmental Disabilities, the Hawaii Disability Rights Center, the Hawaii Medical Association, and the Hawaii Waiver Providers Association.

A critical funding emergency exists for the Developmental Disabilities Division of the Department of Health due to an increase in the anticipated admissions to the Medicaid waiver program. This increase in admissions is a result of the settlement agreement in HDRC v. State, Civil No. 03-00524 HG-KSC, in August 2005, under which the Department of Health must continue to reasonably admit individuals with mental retardation or developmental disabilities into the Medicaid waiver program, a program that matches state funds with federal funds to meet the needs of disabled individuals so that they may live in the

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community. This emergency appropriation will enable the State to comply with the settlement agreement, Chapter 333F, Hawaii Revised Statutes, and the U.S. Supreme Court's decision in Olmstead v. Lick, 527 U.S. 581 (1999).

As affirmed by the records of votes of the members of your Committees on Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2338 and recommend that it pass Second Reading and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Health and Human
Services,

Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair

Rosalyn H. Baker

ROSALYN H. BAKER, Chair



The Senate
Twenty-Third Legislature
State of Hawaii

Record of Votes of the
Committee on Health
(Bills and Resolutions)

Measure:* <i>SB 2338</i>	Committee Referral: <i>HTH/HMS, WAM</i>	Date: <i>2/3/06</i>		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (2312) <input type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)				
Members	Ayes	Ayes(WR)	Nays	Excused
BAKER, Rosalyn H. (C)	✓			
CHUN OAKLAND, Suzanne (VC)	✓			✓
HANABUSA, Colleen				✓
TSUTSUI, Shan S.	✓			
WHALEN, Paul				✓
TOTAL	3	0	0	2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Do not list more than one measure per Record of Votes.

