

MAR 08 2007

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## SENATE CONCURRENT RESOLUTION

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REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND PROGRAM AUDIT  
OF THE HAWAII DISABILITIES RIGHTS CENTER.

1 WHEREAS, the Hawaii Disabilities Rights Center is the  
2 designated agency under section 333F-8.5, Hawaii Revised  
3 Statutes, to provide advocacy services to persons with  
4 developmental disabilities and mental illness; and  
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6 WHEREAS, a designation of an agency such as the Hawaii  
7 Disabilities Rights Center is a prerequisite for the State to  
8 receive federal funds; and  
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10 WHEREAS, Congress created a nationwide protection and  
11 advocacy system for individuals with developmental disabilities  
12 under the Developmental Disabilities Assistance and Bill of  
13 Rights Act, as amended, to aid individuals with developmental  
14 disabilities and their families so that they may gain access to  
15 appropriate support and services; and  
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17 WHEREAS, the Hawaii Disabilities Rights Center has access  
18 to all records of any person with developmental disabilities or  
19 mental illness, to the extent required by federal law, as  
20 provided in section 333F-8.5, Hawaii Revised Statutes; and  
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22 WHEREAS, the Department of Health has jurisdiction over  
23 state funding for the Hawaii Disabilities Rights Center, and  
24 pursuant thereto, has responsibility for the performance of the  
25 Hawaii Disability Rights Center; and  
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27 WHEREAS, the Legislature is concerned about whether the  
28 Hawaii Disabilities Rights Center is fulfilling its mission,  
29 particularly since it also receives state funding; and  
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31 WHEREAS, the Hawaii Disabilities Rights Center has never  
32 been the subject of an audit by the Auditor; and



1 WHEREAS, a complete financial and program audit of the  
2 Hawaii Disabilities Rights Center is warranted in the interests  
3 of protecting a vulnerable population that it is designed to  
4 serve; now, therefore,

5  
6 BE IT RESOLVED by the Senate of the Twenty-fourth  
7 Legislature of the State of Hawaii, Regular Session of 2007, the  
8 House of Representatives concurring, that the Auditor is  
9 requested to conduct a financial and program audit of the Hawaii  
10 Disabilities Rights Center; and

11  
12 BE IT FURTHER RESOLVED that the Auditor also investigate  
13 whether the Hawaii Disabilities Rights Center:

- 14  
15 (1) Is fulfilling its mission in a proper, objective, and  
16 effective manner, including an evaluation of how the  
17 Center exerts its authority over organization subject  
18 to the Center's purview;  
19  
20 (2) Is abusing its authority over its access to records of  
21 persons with developmental disabilities or mental  
22 illness;  
23  
24 (3) Has in place appropriate grievance procedures and  
25 alternative remedies to litigation for agencies over  
26 which it has jurisdiction; and  
27  
28 (4) Is being appropriately overseen by any state or  
29 federal authority, and the scope of such authority;  
30 and  
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32 BE IT FURTHER RESOLVED that the Auditor report its findings  
33 and recommendations to the Legislature not later than twenty  
34 days prior to the convening of the Regular Session of 2008; and  
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36 BE IT FURTHER RESOLVED that certified copies of this  
37 Concurrent Resolution be transmitted to the Hawaii Disabilities  
38 Rights Center and the Director of Health.  
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OFFERED BY: 

