

STAND. COM. REP. NO. 711

Honolulu, Hawaii
Feb 16, 2007

RE: H.B. No. 1466

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2007
State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 1466
entitled:

"A BILL FOR AN ACT RELATING TO DEVELOPMENTAL DISABILITIES,"

begs leave to report as follows:

The purpose of this measure is to ensure a continuation of
assistance to the developmentally disabled.

Specifically, this bill provides the Department of Health
with an additional year in which to administer community
residential alternatives for persons with developmental
disabilities or mental retardation that require that the person
live in a setting of the person's choice. If the person
determines that the person can be sustained with supports, the
supports are attached to the person, and adequate consideration
and recognition is given to the person's safety and well-being.

The measure also provides the Department with additional time
to prepare the preliminary and final reports regarding persons
with developmental disabilities or mental retardation who choose
to live independently in a setting of the person's choice,
sustained with supports.

Your Committee received testimony in support of the measure
from the State Council on Developmental Disabilities, the
Disability and Communications Access Board, the Department of
Health, and the Hawaii Disability Rights Center.



Your Committee finds that Act 303, Session Laws of Hawaii 2006, requires that the community residential alternatives provided by the Department of Health as part of the supports and services of the developmental disabilities system for persons with developmental disabilities or mental retardation must be in a setting of the person's choice. Thus, Act 303 enables a disabled person to live in a home or an apartment alone or with one or two friends. Without Act 303, the person would be restricted to living in a licensed adult residential care home, an adult foster home, or a developmental disabilities domiciliary home. Act 303 is scheduled to be repealed in 2008, and unless the repeal date is extended, persons with developmental disabilities or mental retardation will no longer be able to live in a setting of the person's choice.

Your Committee finds that Act 303 reflects the Legislature's acknowledgement that a developmentally disabled person has the right to determine where the person wishes to live and with whom, as long as supports are provided, and those supports follow that person in the community. Your Committee further finds that more time is needed to assess the impacts of Act 303, and accordingly, more time is needed by the Department of Health to prepare the preliminary and final reports required under that Act.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1466 and recommends that it pass Second Reading and be referred to the Committee on Finance.

Respectfully submitted on
behalf of the members of the
Committee on Health,



JOSHUA B. GREEN, M.D., Chair



