

STAND. COM. REP. NO.

1171

Honolulu, Hawaii

MAR 22 2007

RE: H.B. No. 1371  
H.D. 2

Honorable Colleen Hanabusa  
President of the Senate  
Twenty-Fourth State Legislature  
Regular Session of 2007  
State of Hawaii

Madam:

Your Committee on Health, to which was referred H.B.  
No. 1371, H.D. 2, entitled:

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

begs leave to report as follows:

The purpose of this measure is to support individuals with  
developmental disabilities to live in the community.

Specifically, this measure makes an emergency appropriation  
for the Developmental Disabilities Division of the Department of  
Health (Division) to comply with the settlement agreement in  
Hawaii Disability Rights Center v. State of Hawaii, U.S. District  
Ct., Civil No. 03-00524, the Americans with Disabilities Act, and  
the 1999 Supreme Court decision in Olmstead v. L.C. ex rel.  
Zimring.

Your Committee received testimony in support of this measure  
from the Department of Health, the State Council on Developmental  
Disabilities, and Family Voices of Hawaii.

The additional funds are necessary to support the Division's  
existing clients and to reasonably admit individuals into the  
State's Medicaid title XIX program as required under federal law  
and federal court rulings.



Your Committee finds that this emergency appropriation will ensure that individuals with developmental disabilities who choose to live in the least restrictive community environment are provided home and community based services.

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. 1371, H.D. 2, and recommends that it pass Second Reading and be referred to the Committee on Ways and Means.

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




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DAVID Y. IGE, Chair



The Senate  
Twenty-Fourth Legislature  
State of Hawaii

**Record of Votes**  
**Committee on Health**  
**HTH**

Bill / Resolution No.:* HB 1371 HD2	Committee Referral: HTH, WAM	Date: 3/14/07		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <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	Aye	Aye (WR)	Nay	Excused
IGE, David Y. (C)	✓			
FUKUNAGA, Carol (VC)	✓			
BAKER, Rosalyn H.	✓			
MENOR, Ron				✓
WHALEN, Paul				✓
<b>TOTAL</b>	<b>3</b>			<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution:             Original             Yellow             Pink File with Committee Report             Clerk's Office             Drafting Agency				

\*Only one measure per Record of Votes