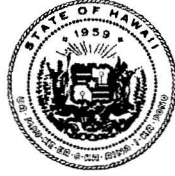


LINDA LINGLE
GOVERNOR



LILLIAN B. KOLLER, ESQ.
DIRECTOR
HENRY OLIVA
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 8, 2010

MEMORANDUM

TO: The Honorable John M. Mizuno, Chair
House Committee on Human Services

FROM: Lillian B. Koller, Director

SUBJECT: **H. B. 745, H.D. 1 - RELATING TO HUMAN SERVICES**

Hearing: Monday, February 8, 2010; 9:00 a.m.
Conference Room 329, State Capitol

PURPOSE: The purpose of this bill is to increase General Assistance program efficiency by eliminating the requirement to send a ten-day pending notice requesting additional medical evidence when a determination and certification is made that an applicant does not have a physical, mental, or combination of a physical and mental disability.

DEPARTMENT'S POSITION: This bill is substantively identical to the Administration-sponsored bill, H.B. 2564, that was also referred to the House Human Services Committee but which has not, as yet, been scheduled for hearing. Since we strongly support H.B. 2564, the Department of Human Services also strongly supports this bill, H.B. 745, H.D. 1.

Due to the current economic situation, the volume of applications requiring processing has increased in excess of ten percent for the general assistance

program. This proposed amendment will reduce the number of monthly pending applications and ensure a disposition for applicants in a timely manner. Timely processing will be increased for approximately 550 applications per month by reducing the number of monthly pending applications from 1,100 to 1,300 per month to approximately 600 to 800 per month.

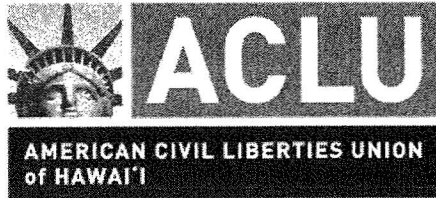
Currently, in order to be eligible for General Assistance (GA), the applicant must be certified disabled by a DHS evaluator. The applicant is given the opportunity to provide medical records to support their claim of disability. Medical histories that are submitted to the DHS evaluator, who also conducts an examination, establishes whether the applicant meets the GA criteria for disability. Upon a determination by the DHS evaluator that an applicant is not considered disabled, a disposition to deny benefits cannot be immediately made as a second request to submit medical records by the applicant is currently required, thereby delaying case disposition for up to ten days.

On average the Department of Human Services (DHS), Benefit, Employment and Support Services Division (BESSD) receives 1,500 to 1,700 GA applications per month and approximately 1,100 to 1,300 applications per month are pending a disposition. The requirement to request medical records a second time contributes to the large number of pending dispositions. Removing this additional requirement will reduce the large number of applications pending a disposition.

The Department's Eligibility Workers who determine eligibility for the GA program also determine eligibility for all of the DHS Benefit, Employment and Support Services Division's financial assistance programs as well as the Supplemental Nutrition Assistance Program (SNAP). This proposed amendment will not only make the application process for general assistance benefits more efficient but also for any

application for the financial assistance programs by allowing staff to work timelier on all new applications. All financial assistance program applicants, including GA program applicants, who are eligible for benefits will have their applications processed timelier and will be able to receive benefits in a timely manner.

Thank you for the opportunity to provide comments on the bill.



Committee: Committee on Human Services
Hearing Date/Time: Monday, February 8, 2010, 9:00 a.m.
Place: Room 329
Re: Testimony of the ACLU of Hawaii in Opposition to H.B. 745, Relating to Human Services

Dear Chair Mizuno and Members of the Committee on Human Services:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) writes in opposition to H.B. 745, relating to human services.

Taking into account the difficult application process combined with the challenges associated with disabilities, eliminating denial notice requirements will likely result in the violation of individuals’ constitutional due process rights and further, the inappropriate denial of general assistance to individuals with legitimate disabilities. The current process appropriately balances individuals’ constitutional due process rights with the needs of the state and should be maintained.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple
Staff Attorney
ACLU of Hawaii

American Civil Liberties Union of Hawaii
P.O. Box 3410
Honolulu, Hawaii 96801
T: 808.522-5900
F: 808.522-5909
E: office@acluhawaii.org
www.acluhawaii.org



House HUS Committee
Mon, Feb 8, 2010
9 AM
room 329

National Association of Social Workers

Hawaii Chapter

February 4, 2010

TO: Rep. John Mizuno, Chair
Members of the House Human Services Committee

FROM: Debbie Shimizu, LSW
National Association of Social Workers, Hawaii Chapter

RE: HB 745 HD1 Relating to Human Services- **OPPOSE**

Chair Mizuno and members of the House Human Services Committee, I am Debbie Shimizu, Executive Director of the National Association of Social Workers (NASW), Hawaii Chapter. I am also a member of the Financial Assistance Advisory Council (FAAC) of DHS. NASW is the largest professional organization for social workers in Hawaii.

NASW opposes HB 745 HD1 Relating to Human Services.

This bill proposes to eliminate the opportunity for a GA applicant to submit additional medical evidence when their initial application has been denied. We all have the right to seek a second medical opinion. GA recipients should be afforded the same right to provide a second opinion when they have been initially denied by a DHS hired doctor.

It appears that the department is simply trying to reduce the amount of applicants on GA. In these difficult economic times, we should be helping individuals weather the storm rather than denying them the support of a safety net.

Please hold HB 745 HD1. Thank you for this opportunity to testify.

LEGAL AID SOCIETY OF HAWAII

TESTIMONY IN OPPOSITION HB 745, HD1 - RELATING TO HUMAN SERVICES

February 8, 2010 at 9:00 a.m.

The Legal Aid Society of Hawaii hereby provides testimony to the Senate Committee on Human Services in opposition of HB 745, HD1 – Relating to Human Services. I apologize for not being there in person as I have business on the mainland. Please feel free to reach me via telephone should you need any further information.

The Legal Aid Society of Hawaii provides free legal services to the low-income population of the State of Hawaii. We provided civil legal assistance to those in need through nine offices located in Lihue, Waianae, Honolulu, Kaneohe, Kaunakakai, Lanai City, Wailuku, Kona and Hilo. Over the years we have provided leadership around public benefits issues and on an annual basis update our public benefits manual and provide a two-day training on public benefits.

We are testifying in opposition of this bill as it will unfairly impact disabled individuals. This bill removes protections which allow an applicant for general assistance to receive notice so that they may submit additional medical evidence in support of their claim. When an individual applies for assistance, they complete a form which does not state that any medical evidence can be included. An applicant will then participate in disability determinations which is a ten minute examination with a doctor hired by the Department of Human Services to create a current medical report. If the doctor determines that the applicant is ineligible for assistance, then under the current law, they are given an opportunity to provide additional medical evidence. For many clients with disabilities, this is the first notification that they can provide medical evidence in addition to the information collected by the DHS doctor. To remove this notice and ability to provide additional medical evidence will require further hardship on applicants for assistance especially those with limited capacities due to their disabilities.

In these economic times, those with disabilities are already being hard hit by cuts to benefits. By removing this notice, it will make it even harder for those with disabilities to get the assistance that they need. As such, we ask that you hold this bill.

Thank you for this opportunity to testify.

Sincerely,

-signed-

Nalani Fujimori Kaina
Executive Director
527-8014

TESTIMONY – OPPOSE w/ COMMENTS
HB 745, HD1: RELATING TO HUMAN SERVICES

LATE
Testimony

TO: Rep. J. Mizuno, Chair, Rep. T. Brower, Vice Chair, and members of the House Committee on Human Services;

HEARING: Monday, February 8, 2010 9:00 AM CR: 329

Aloha Chair Mizuno, Vice Chair Brower, and members of the committee:

I'm Kanani Kaaiawahia Bulawan, a homeowner resident of Waianae and the retired executive director of Waianae Community Outreach, a non-profit agency managing the emergency homeless shelter in Kalaeloa and providing homeless outreach services to those on the leeward coast.

I STRONGLY OPPOSE HB 745, HD1 with comments to offer. I agree with the intent of this bill; however, I have 2 major concerns.

1. Eliminating the requirements to send pending notices:

For the most part people who are applying for these benefits are already suffering from some form of distress. Eliminating this procedure would take away their right to understand what is expected and needed of them to assure the eligibility consideration process moves along in a timely manner.

2. Decrease in basic human services, increases long-term social needs:

As the DHS reported, some 1300 individuals out of roughly 1500 applicants are denied eligibility for general assistance. This will only make it easier for the department to continue its practice in denying vulnerable individuals from securing their basic needs such as medical and housing services. The current reduction in benefits from \$450 to \$300 under rate the cost of housing in a basic transitional shelter for the homeless.

KKBulawan
02/08/10: HB 745, HD1

As a private citizen and homeowner, I'm concern for those in our society that already face challenges and demands that make them event more vulnerable. More of these types of measure will only increase the already "poor of the poorest" population which we are trying to protect and serve.

I commend the chair and committee for taking on this challenge especially during the most financial demanding times of the present.

Mahalo for this opportunity to provide my testimony and concerns.

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, February 06, 2010 11:22 PM
To: HUS testimony
Cc: ANNIE@SCHHA.ORG
Subject: Testimony for HB745 on 2/8/2010 9:00:00 AM

Testimony for HUS, 2/8/2010 9:00:00 AM HB745

Conference room: 329
Testifier position: support
Testifier will be present: No
Submitted by: ANNIE AU HOON
Organization: Individual
Address:
Phone:
E-mail: ANNIE@SCHHA.ORG
Submitted on: 2/6/2010

LATE
Testimony

Comments: