

Honolulu, Hawaii

MAR 24 2011

RE: H.B. No. 761
H.D. 1
S.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2011
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 761, H.D. 1, entitled:

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

begs leave to report as follows:

The purpose and intent of this measure is to amend references in the Hawaii Revised Statutes by substituting "intellectual disabilities", or like term, wherever the term "mental retardation", or like term, appears.

Your Committee received testimony in support of this measure from the Department of Health, State Council on Developmental Disabilities, Disability and Communication Access Board, Kauai Developmental Disabilities Committee, Maui County Developmental Disabilities Committee, Special Education Advisory Council, Hawaii Disability Rights Center, Hawaii Waiver Providers Association, Family Voices of Hawai'i, and seventeen individuals.

Your Committee finds that individuals with intellectual disabilities deserve to be treated with greater dignity and respect. Changing references from "mental retardation" to "intellectual disability" within the Hawaii Revised Statutes appropriately reflects current and evolving terminology. Your Committee also finds that the term "intellectual disability" is recognized by the federal government and used in federal health, education, and labor laws. Hawaii will join the federal government, national organizations, and consumer advocacy groups



that have changed their language from "mental retardation" to "intellectual disability", and in doing so, respect people first.

Your Committee has amended this measure by:

- (1) Deleting section 18, which would have required departments affected by the amendments in this measure to adopt or amend the relevant Hawaii Administrative Rules before January 1, 2015; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 761, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 761, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on
behalf of the members of the
Committee on Human Services,


SUZANNE CHUN OAKLAND, Chair



