



EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

**Testimony in SUPPORT of HB 1061 Relating to  
The Emergency and Budget Reserve Fund  
With AMENDMENTS**

**Governor Neil Abercrombie**

**HOUSE HUMAN SERVICES AND HEALTH COMMITTEES  
Rep. John Mizuno, Chair  
Rep. Ryan Yamane, Chair**

**February 7, 2011  
10:15 a.m. Room 329**

Chair Mizuno, Chair Yamane and members of the Human Services and Health Committees, thank you for scheduling a hearing on HB 1061 Relating to the Emergency and Budget Reserve Fund. I am testifying in SUPPORT of this measure and offer a few amendments.

One of the first acts Governor Abercrombie performed after being inaugurated into office was to release the funds appropriated in Act 191, Session Laws of Hawaii 2010 (Act 191), to various health, human services and housing organizations to maintain services that are essential to the education, public health, and public welfare for the people of Hawaii.

Unfortunately, state agencies and nonprofit organizations encountered technical difficulties in actually getting the money into the hands of the providers of services. Additionally, due to the delayed release of the funds, providers are unable to encumber the funds by June 30, 2011 as specified in Act 191.

The intent of HB 1061 is to amend sections in Act 191 to clarify that these appropriations are grants pursuant to Chapter 42F, Hawaii Revised Statutes. This will allow the state agencies to award the funds in a more expedient manner. Additionally, this measure extends the lapse date to June 30, 2012 to allow for the greatest flexibility to encumber these funds.

We respectfully request the following amendments:

- 1) Page 7, Add Section 4 to repeal old Section 24 in Act 191
- 2) Page 7, Add Section 5 to insert new Section 24.1 and new language (attached)
- 3) Page 7, Add Section 6 to insert Section 40B and new language (attached)

These amendments will allow \$2,000,000 for the restoration of adult dental care formerly granted under program ID HMS 245- QUEST. In Act 191, the department of human services did not expend the appropriated funds because providing adult dental services through QUEST is not sustainable beyond the fiscal year 2010-2011. The amended language appropriates the funds to the Hawaii Primary Care Association (\$1,900,000) and Maui Community College, University of Hawaii (\$100,000) to continue providing adult dental care for uninsured adults, which they are currently doing.

The Governor believes that the services identified in this bill are important to assist our most needy citizens and would like to do whatever is needed to correct the technicalities in Act 191 that are creating barriers to getting these funds to the provider organizations.

Thank you for this opportunity to provide testimony in support of HB 1061 with amendments.

SECTION 4. Act 191, Session Laws of Hawaii 2010, is amended by repealing Section 24.

~~SECTION 24. There is appropriated out of the emergency and budget reserve fund of the State of Hawaii for QUEST health care payments, the sum of \$2,000,000 or so much thereof as may be necessary for fiscal year 2010-2011 for the restoration of adult dental care formerly granted under program ID HMS 245— QUEST health care payments; provided that the funds shall not be expended for any other purpose. The governor is authorized to utilize enhanced federal medical assistance percentages (FMAP) funds to offset the amount appropriated, provided that the total amount shall not exceed \$2,000,000. Any unexpended funds shall lapse to their respective funds.~~

~~— The department of human services shall prepare a report on:~~

- ~~1) The number of adults receiving these benefits;~~
- ~~2) The cost per person;~~
- ~~3) Total breakdown of administrative costs and other overhead costs; and~~
- ~~(4) Statistics, if available, of how this dental program is reducing the number of emergency dental-related medical procedures;~~

~~provided further that the department of human services shall submit the report to the legislature no later than twenty days prior to the convening of the 2011 regular session.~~

~~The sum appropriated shall be expended by the department of human services for the purposes of this Act.~~

SECTION 5. Act 191, Session Laws of Hawaii 2010, is amended by adding a new section to read as follows:

"SECTION 24.1- There is appropriated out of the emergency and budget reserve fund of the State of Hawaii the sum of \$1,900,000 or so much thereof as may be necessary for fiscal year 2010-2011 to the Hawaii Primary Care Association for adult dental care through the Federally Qualified Health Centers (FQHC); provided that the funds shall not be used for any other purpose. The governor is authorized to utilize enhanced federal medical assistance percentages (FMAP) funds to offset the amount appropriated, provided that the total amount shall not exceed \$1,900,000. The department of human services shall prepare a report on:

- (1) The number of adults receiving these benefits;
- (2) The cost per person;
- (3) Total breakdown of administrative costs and other overhead costs; and

(4) Statistics, if available, of how this dental program is reducing the number of emergency dental-related medical procedures;

provided further that the department of human services shall submit the report to the legislature no later than twenty days prior to the convening of the 2011 regular session. The sum appropriated shall be expended by the department of human services for the purposes of this Act. This is a grant pursuant to chapter 42F, Hawaii Revised Statutes."

SECTION 6. Act 191, Session Laws of Hawaii 2010, is amended by adding a new section to read as follows:

"SECTION 40B. There is appropriated out of the emergency and budget reserve fund of the State of Hawaii the sum of \$100,000 or so much thereof as may be necessary for fiscal year 2010-2011 for the Maui Community College, University of Hawaii, for the adult dental care program.

The sum appropriated shall be expended by the department of human services for the purposes of this Act."



## *THE JUDICIARY, STATE OF HAWAII*

### **Testimony to the House Committee on Human Services**

Representative John M. Mizuno, Chair

Representative Jo Jordan, Vice Chair

### **House Committee on Health**

Representative Ryan I. Yamane, Chair

Representative Dee Morikawa, Vice Chair

Monday, February 7, 2011, 10:15 a.m.

State Capitol, Conference Room 329

by

Rodney A. Maile

Administrative Director of the Courts

### **WRITTEN TESTIMONY ONLY**

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**Bill No. and Title:** House Bill No. 1061, Relating to the Emergency Budget and Reserve Fund

**Purpose:** The purpose of House Bill No. 1061 (HB1061) is to clarify the language in Act 191 (Act 191), Session Laws of Hawaii 2010. The bill clarifies that the appropriation of emergency budget and reserve funds to specific organizations are grants under Hawaii Revised Statutes (HRS) chapter 42F, and extends the lapse date from June 30, 2011 to June 30, 2012.

### **Judiciary's Position:**

The Judiciary generally supports HB1061 and the extension of the lapse date of Act 191 to June 30, 2012, but wishes to express some concerns. Under Act 191, the Judiciary was directed to disburse emergency budget and reserve funds to five private organizations— Volunteer Legal Services Hawaii, Legal Aid Society of Hawaii, Hawaii Family Law Clinic, Catholic Charities Hawaii, and Children's Alliance of Hawaii. Two of these organizations did not submit grant applications during the 2010 legislative session, as is required under HRS section 42F-102. As currently written, HB1061 does not have language that requires the organizations to submit grant applications. Without the requirement for the submission of grant applications, the Judiciary will have difficulty in negotiating grant contracts with the two



House Bill No. 1061, Relating to the Emergency Budget and Reserve Fund  
House Committees on Human Services & Health  
February 7, 2011  
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organizations. The Judiciary relies on the information contained in the grant applications to describe the scope of services for the grant contract and to accurately monitor the services performed by each organization.

Thank you for the opportunity to testify on HB1061.



**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
919 ALA MOANA BOULEVARD, ROOM 113  
HONOLULU, HAWAII 96814  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
February 7, 2011

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

The Honorable Ryan I. Yamane, Chair  
House Committee on Health  
Twenty-Sixth Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Representatives Mizuno and Yamane and Members of the Committees:

**SUBJECT: HB 1061 – RELATING THE EMERGENCY AND BUDGET RESERVE FUND**

The State Council on Developmental Disabilities (DD) **STRONGLY SUPPORTS HB 1061**. The purpose of the bill is to amend Act 191, Session Laws of Hawaii (SLH) 2010, to permit the awarding of moneys to specified organizations by adding in language specifying Chapter 42F grants and extending the lapse date of appropriations made in Act 191, SLH 2010 from June 30, 2011 to June 30, 2012.

Extending the deadline would enable the Department of Health (DOH) and other Departments to efficiently and expediently expend the funds designated to various programs and organizations according to State Procurement requirements. DD services that would be impacted by the extended deadline are the DOH Respite Program, DD Division Partnerships in Community Living program, and DD Medicaid Waiver program. The Council is working with DOH in implementing Act 191, SLH 2010, specifically the sections that address the above DD services.

Thank you for the opportunity to present testimony in **strong support of HB 1061**.

Sincerely,

Handwritten signature of Liz Ann Salvador in cursive.

Liz Ann Salvador  
Chair

Handwritten signature of Waynette K.Y. Cabral in cursive.

Waynette K.Y. Cabral  
Executive Administrator





To: House Committee on Human Services  
House Committee on Health  
Representative John M. Mizuno, Chair  
Representative Ryan I. Yamane, Chair

Date: February 7, 2011, Conference Room 329, 10:15am

Re: **HB 1061 RELATING TO THE EMERGENCY AND BUDGET RESERVE FUND**

Chair Mizuno and Chair Yamane:

My name is Barbara Kim Stanton, State Director of AARP Hawaii. AARP is a membership organization of people 50 and older with nearly 150,000 members in Hawaii. We are committed to championing access to affordable, quality health care for all generations, providing the tools needed to save for retirement, and serving as a reliable information source on issues critical to Americans age 50+.

AARP strongly supports HB 1061, which would extend the lapse date of funds appropriated pursuant to Act 191, Session Laws of Hawaii 2010 to June 30, 2012. Act 191 appropriates moneys from the Emergency and Budget Reserve Fund for specific safety net programs that support the most vulnerable population – the elderly, the disabled, caregivers, and seniors. As funds were only released pursuant to Act 191 in December 2010, the expending agencies will not have enough time to expend the funds by the lapse date of June 30, 2011.

The funds released are urgently needed to maintain the level of service needed for the health, public welfare and education of our most vulnerable residents. The critical budget shortfall will be creating hardships for them at unprecedented levels and numbers, and increase demand for critical safety net programs. The funding of safety net programs such as Kupuna Care are now more urgently needed than ever before. As grants for such programs have yet to be awarded, the extension of the lapse date is essential.

We strongly urge the passage of HB 1061, as the safety net services such as Kupuna Care are desperately needed.

AARP is also recommending that HB 1061, Section 3 be amended to add references to Kupuna Care and meals for the elderly for kupuna care with the additional underscored phrases as follows:

“SECTION 5. There is appropriated out of the emergency and budget reserve fund of the State of Hawaii the sum of \$3,000,000 or so much thereof as may be necessary for fiscal year 2010-2011 to provide additional funding for the kupuna care program. This funding shall be in addition to the fiscal year 2010-2011 executive supplemental budget for the executive office on aging. **This is a grant pursuant to chapter 42F, Hawaii Revised Statutes.**”

"SECTION 15. There is appropriated out of the emergency and budget reserve fund of the State of Hawaii the sum of \$500,000 or so much thereof as may be necessary for fiscal year 2010-2011 for meals for the elderly for kupuna care. **This is a grant pursuant to chapter 42F, Hawaii Revised Statutes.**"

Thank you for the opportunity to testify.



# THE SEX ABUSE TREATMENT CENTER

*A Program of Kapi'olani Medical Center for Women & Children*

*Executive Director*  
Adriana Ramelli

*Advisory Board*

*President*  
Mimi Beams

*Vice President*  
Peter Van Zile

Marilyn Carlsmith

*Senator*  
Suzanne Chun Oakland

Monica Cobb-Adams

Donne Dawson

Dennis Dunn

*Senator*  
Carol Fukunaga

Frank Haas

Roland Lagareta

Phyllis Muraoka

Martha Smith

DATE: February 7, 2011

TO: Honorable John M. Mizuno, Chair  
Honorable Jo Jordan, Vice Chair  
Committee on Human Services

Honorable Ryan I. Yamane, Chair  
Honorable Dee Morikawa, Vice Chair  
Committee on Health

FROM: Adriana Ramelli, Executive Director  
The Sex Abuse Treatment Center

RE: Support for HB1061  
Relating to the Emergency and Budget Reserve Fund

Good morning Representatives Mizuno and Jordan and members of the Committee on Human Services and Representatives Yamane and Morikawa and members of the Committee on Health. My name is Adriana Ramelli and I am the Executive Director of the Sex Abuse Treatment Center (SATC), a program of the Kapi'olani Medical Center for Women & Children (KMCWC), an affiliate of Hawaii Pacific Health.

The SATC supports HB1061 which makes technical corrections to Act 191, Session Laws of Hawaii 2010 which appropriated moneys from the emergency and budget reserve fund to education, public health, and public welfare for fiscal year 2010 -2011. Specifically, the SATC supports this bill's provision to extend the lapse date for funds until June 30, 2012.

The Kapi'olani Medical Center for Women and Children through its Sex Abuse Treatment Center Program holds the master contract with the State Department of the Attorney General to deliver sexual assault services statewide. These services include crisis intervention, mental health counseling, case management, legal systems advocacy and prevention. This bill, which extends the lapse date of Act 191's appropriations, will allow the SATC and its neighbor island sexual assault subcontractors sufficient time to allocate and use the funding for these essential services in the most effective manner. The SATC's sub-contractors are the YWCA Sexual Assault Support Services (SASS) program serving Hawai'i County, the YWCA Sexual Assault Treatment Program (SATP)

serving the County of Kaua'i, and the Sexual Assault Support Services (SASS) program of Child and Family Services (CFS), serving Maui County.

Given the current economic downturn, delivering comprehensive, coordinated services for victims of sexual assault statewide remains a big challenge. Adequate funding released in a timely manner should remain a high priority.

I urge you to support HB 1061. Since the KMCWC/SATC and the other organizations provided for in Act 191 have yet to receive the appropriated funding, the lapse date provision in this bill is clearly necessary. Thank you for the opportunity to testify.

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**From:** Lynn Murakami-Akatsuka [lkakatsu@hawaii.rr.com]  
**Sent:** Friday, February 04, 2011 4:08 PM  
**To:** HUS testimony  
**Subject:** Testimony for HB 1061 on 2/7/2011 at 10:15 AM

Testimony for Committee on Human Services and Committee on Health,  
2/7/2011 at 10:15 AM

Conference room: 329  
Testifier position: Strongly support  
Testifier will be present: NO  
Submitted by: Lynn Murakami-Akatsuka  
Organization: Individual  
Address: 45-606 Keole Street; Kaneohe, HI 96744  
E-mail: [lkakatsu@hawaii.rr.com](mailto:lkakatsu@hawaii.rr.com)  
Submitted on: 2/4/2011

Comments: This bill will extend the deadline/lapse date for the use of funding from the Emergency and Budget Reserve Fund per Act 191 2010 beyond June 30, 2011. Extending the deadline would allow the Department of Health (DOH) and other departments to efficiently expend the funds designated to various programs according to State procurement requirements. Services to individuals with developmental disabilities that would be impacted are the DOH Respite Program, Developmental Disabilities (DD) Division Partnerships in Community Living program, and the DD Medicaid Waiver Program. Individuals and their families would be greatly impacted in their "quality of life" and "self determination" in their choices to maintain living in the community. HB 1061 provides the departments the most time to expend the funds as it extends the deadline date to June 30, 2012.

I am in strong support of this bill HB 1061. Thank you for the opportunity to testify.

Monday, February 7, 2011

Rep. John M. Mizuno, Chair  
House Human Services Committee  
and

Rep. Ryan I. Yamane, Chair  
House Health Committee  
State of Hawaii,  
Twenty-Sixth Legislature  
State Capitol  
415 S. Beretania Street  
Honolulu, Hawaii 96813

Subject: HB 1061 - RELATING TO THE EMERGENCY AND BUDGET RESERVE  
FUND

Hearing: Monday, February 7, 2011, 10:15am (House Committee on Health and Human  
Services), Conference Room 329

Dear Representative John M. Mizuno, Representative Ryan Yamane & Members of the  
Committee on Human Services and Health:

I am submitting testimony for extension until June 30, 2012 of the "Rainy Day Fund". I am in ***STRONG SUPPORT*** of HB 1061. This bill extends the emergency appropriation from the emergency and budget fund of the State of Hawaii to maintain the levels of programs determined to be essential to education, public health, and welfare. Specifically I am supporting appropriations to restore lost funding for the ***Department of Health Respite, DD Division DD/MR Waiver, and the DD Division Partnerships in Community Living (PICL Programs.***

***I am the parent of Joshua Smalley-Bower who has been accessing the supports afforded by the services offered in the MR/DD Waiver. Because of Joshua's medical fragility I have had to remain home to care for him. We were under a horrible emotional strain due to his fragility compounded by the financial strain because I couldn't work since someone needed to be with Joshua 24/7. When we started receiving MR/DD Waiver services a portion of the financial burden was lifted, which in turn reduced the emotional stress on our family. Joshua, like so many other people with disabilities, functions better when he doesn't sense stress.***

Representative John Mizuno  
Representative Ryan Yamane  
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*If we could find someone willing and able to work with our son, I could work, but without MR/DD Waiver we have no option, but to care for his health and safety. Joshua needs to be monitored 24 hours a day. We never know when the next medical emergency will happen. Even when we go into the community, we have a cell phone with us at all times in case of emergency... which happened once walking down South King Street.*

*Also, because we have all the equipment needed for most medical care we are able to avoid hospitalizations; again a saving to the State. This past Christmas Eve is an excellent example. We were at the Queen's Emergency Room where they discovered Joshua had pneumonia. Because we had the equipment, i.e., oxygen, specialized bed, and pulse-oximeter at home, we were able to save the State the cost of four days hospitalization.*

*We do everything in our power to provide the safest healthiest environment for our son so that he is safe. When Joshua's health allows, he participate in meaningful activities that allow him to have a life just like every other citizen. Without the services provided under the MR/DD Waiver, our son's health and safety are seriously jeopardized.*

If the emergency appropriation is not extended, the state will be putting at risk the thousands of families that are or were served each month in these very valuable programs. Thank you for the opportunity to present testimony in **Strong Support of HB 1061**. I can be reached at 946-8335 for any further questions.

Sincerely,

*Helen Smalley-Bower*