

# LATE Testimony

NEIL ABERCROMBIE  
GOVERNOR OF HAWAII



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In reply, please refer to:  
File:

## Committees on Human Services

### SB 125, SD2 RELATING TO INTELLECTUAL AND DEVELOPMENTAL DISABILITIES

Testimony of Loretta J. Fuddy, ACSW, MPH  
Interim Director of Health

March 17, 2011

- 1 **Department's Position:** The Department of Health opposes S.B. 125, SD2.
- 2 **Fiscal Implications:** None to the Department of Health.
- 3 **Purpose and Justification:** The Department of Health opposes this bill since it competes with
- 4 available funding for existing programs while establishing a new waiver program to provide
- 5 employment support services. This bill creates a program that will be duplicative of existing programs
- 6 at the Departments of Education (DOE), Health (DOH) and Human Services (DHS). The Medicaid
- 7 Home and Community Based Waiver program, under the federal Centers for Medicare and Medicaid
- 8 Services (CMS), prohibits a person from being simultaneously enrolled in two waiver programs which
- 9 would require a person to choose employment over other community services such as personal care.
- 10 This rule limits the availability of these enhanced employment supports and will be more costly and
- 11 difficult to administer for both DHS and DOH with CMS oversight. Any new Medicaid waiver program
- 12 will require approval by CMS, which may not be obtained since this new program creates the
- 13 appearance of a limited benefit Medicaid waiver program that could sway participants to not choose
- 14 health or safety in order to get a job.

1 The Department of Health supports and encourages employment for individuals with intellectual and  
2 developmental disabilities. For persons with developmental disabilities employment supports are  
3 currently provided in the existing Medicaid waiver program administered by the DOH Developmental  
4 Disabilities Division (DDD) under the oversight of the DHS MedQUEST Division and CMS. Other  
5 employment supports are available to some but not all individuals with developmental disabilities from  
6 the DHS Vocational Rehabilitation and Services for the Blind Division (DVR) program. The DOE has  
7 responsibility for transitional planning into adulthood for all students with disabilities under the  
8 Individuals with Disabilities Education Act that may include employment as a goal.

9 For persons with disabilities, coordination of employment support programs from DOH, DOE and DVR  
10 at completion of high school and the transition to adult life has many challenges. Hawaii's outcome of  
11 competitive and integrated employment for persons with developmental disability (<10%) is below the  
12 average percentage of the other States (~23%). Rather than create a new program it is recommended  
13 that the three departments use a consultant from the Center for Disabilities Studies to form a joint task  
14 force to identify better collaborative solutions to existing programs that will increase employment and  
15 maximize the effectiveness of our joint limited funding.

16 Employment outcomes are paramount for the Developmental Disabilities Division's (DDD) mission to  
17 serve their participants that desire and are able to achieve gainful employment. This is a very important  
18 initiative in the DOH that leads to less dependency by consumers upon the State's limited resources.

19 The DDD is working with employers, service providers, the University of Hawaii's Center on Disability  
20 Studies, and the Supported Employment Leadership Network to improve support provided to individuals  
21 seeking employment. Additionally, the DOH is currently in the process to renew the Home &  
22 Community-Based waiver with CMS for an additional five-year period (July 1, 2011 – June 30, 2016).

23 In the renewal, (submitted to the Centers for Medicare and Medicaid Services through the Department of

- 1 Human Services), supported employment to assist individuals in finding and maintaining gainful
- 2 employment is enhanced and remains an integral and important service.
- 3 Thank you for the opportunity to testify.