

JAN 20 2012

A BILL FOR AN ACT

RELATING TO EARLY INTERVENTION SERVICES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 321-352, Hawaii Revised Statutes, is
2 amended to read as follows:

3 "**§321-352 Early intervention services for infants and**
4 **toddlers with special needs.** (a) The department may develop a
5 statewide, coordinated, multidisciplinary program which contains
6 a continuum of services to meet the needs of infants and
7 toddlers with special needs. The department shall be the lead
8 agency for the coordination of federal and state funding for
9 those programs. Pursuant to chapter 103F, the department may
10 purchase services appropriate to carry out activities under this
11 part.

12 (b) The department shall develop and establish a family
13 cost participation schedule of monthly cost participation fees
14 for early intervention services. The fees shall not be charged
15 for services to be provided to the family at no cost as
16 established in part C of the Individuals with Disabilities
17 Education Act (20 U.S.C. section 1431 et seq.). The fee
18 schedule shall consist of a sliding scale for families with an



1 annual gross income not less than two hundred per cent of the
2 federal poverty guideline, and shall be adjusted for the level
3 of annual gross income, household size, and financial hardship.
4 The department shall adopt procedures for suspending services
5 based on a failure to satisfy family cost participation
6 obligations. All sums collected from family cost participation
7 shall be deposited into the early intervention special fund,
8 pursuant to section 321-355.

9 (c) The department may develop a program to offer early
10 intervention services for children who are ineligible for
11 services under part C of the Individuals with Disabilities
12 Education Act. These services shall be offered on a fee-for-
13 service basis. Pursuant to chapter 103F, the department may
14 purchase services appropriate to carry out activities under this
15 subsection."

16 SECTION 2. Section 321-355, Hawaii Revised Statutes, is
17 amended by amending subsection (b) to read as follows:

18 "(b) The fund shall consist of grants, fees, and income
19 earned by the special fund. [~~All~~] Fees received from family
20 cost participation and all program income consisting of federal
21 reimbursement funds received by the State for early intervention
22 funded by legislative appropriations under this part shall be



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1 deposited into the special fund; provided that no state
2 appropriations shall be deposited into the special fund."

3 SECTION 3. Statutory material to be repealed is bracketed
4 and stricken. New statutory material is underscored.

5 SECTION 4. This Act shall take effect upon its approval.

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Report Title:

Department of Health; Early Intervention Services; Fees

Description:

Requires the department of health to develop and establish a family cost participation schedule of monthly cost participation fees for early intervention services. Authorizes the department to offer early intervention services on a fee-for-service basis for children who are ineligible for services under part C of the Individuals with Disabilities Education Act.

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