

SB125

Measure
Title:

RELATING TO PERSONS WITH INTELLECTUAL AND
DEVELOPMENTAL DISABILITIES.

Report
Title:

Developmental Disability; Job Training; Appropriation

Description:

Establishes an employment and training program under the
department of human services for intellectually and
developmentally disabled persons using medicaid waiver funds.
Makes an appropriation. (\$)

Companion:

Package:

None

Current
Referral:

HMS/HTH, WAM

Introducer(s):

CHUN OAKLAND, FUKUNAGA, GREEN, Ihara, Nishihara, Wakai

NEIL ABERCROMBIE
GOVERNOR



PATRICIA McMANAMAN,
INTERIM DIRECTOR
PANKAJ BHANOT
DEPUTY DIRECTOR

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

February 10, 2011

MEMORANDUM

TO: The Honorable, Suzanne Chun Oakland, Chair
Senate Committee on Human Services

The Honorable, Josh Green, M.D., Chair
Senate Committee on Health

FROM: Patricia McManaman, Interim Director

SUBJECT: **S.B. 125 - RELATING TO PERSONS WITH INTELLECTUAL AND
DEVELOPMENTAL DISABILITIES**

Hearing: Thursday, February 10, 2011; 1:15 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B. 125 is to enact an employment training and placement program to develop more effective employment systems for persons with intellectual and developmental disabilities, and to require the Department of Human Services to see a Medicaid waiver for funding of the program.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) currently has a Medicaid waiver with the Centers for Medicare & Medicaid Services (CMS) for persons with intellectual and developmental disabilities. One of the services in the current Medicaid waiver is Supported Employment. The Department of Health (DOH), in partnership with DHS, is in the process of renewing the current Medicaid waiver. The Supported Employment benefit will continue in the Medicaid waiver renewal. DHS defers details regarding the Supported Employment benefit to DOH.

Thank you for the opportunity to provide comments on this bill.
AN EQUAL OPPORTUNITY AGENCY

NEIL ABERCROMBIE
GOVERNOR OF HAWAII



LORETTA J. FUDDY, ACSW, MPH
ACTING DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. Box 3378
HONOLULU, HAWAII 96801-3378

In reply, please refer to:
File:

Committees on Human Services and Health

**SB 125, RELATING TO PERSONS WITH INTELLECTUAL AND
DEVELOPMENTAL DISABILITIES**

**Testimony of Loretta J. Fuddy, ACSW, MPH
Acting Director of Health**

February 10, 2011

1 **Department's Position:** The Department of Health opposes this bill.

2 **Fiscal Implications:** None.

3 **Purpose and Justification:** The Department of Health (DOH) does appreciate the intent of S.B. 125
4 that will create an employment training and placement program for persons with intellectual and
5 developmental disabilities to develop more effective employment systems. The bill also requires the
6 Department of Human Services to seek a Medicaid waiver for funding of the program.

7 Competitive employment in integrated work settings for persons with developmental disabilities
8 is an administrative emphasis for the Department's Developmental Disabilities Division (DDD). The
9 DOH administers the Home and Community Based Services Medicaid Waiver program (HCBS) for
10 persons with intellectual and developmental disabilities which does provide supported employment
11 services. This HCBS Medicaid waiver program operates under a five-year approval cycle from the
12 Centers for Medicare and Medicaid Services (CMS). The Department of Human Services and the
13 Department of Health are currently working on renewing the Home & Community-Based waiver for an
14 additional five-year period (July 1, 2011 – June 30, 2016). In the renewal, (submitted to CMS through
15 the Department of Human Services), supported employment to assist individuals in finding and

1 maintaining gainful employment remains an integral and important service. This new waiver
2 application to CMS will include revised service definitions that are an enhancement of the employment
3 opportunities that currently exist. Additional revisions to the existing HCBS waiver program are always
4 possible through an amendment.

5 The barriers to employment are numerous for persons with developmental disabilities. Some
6 persons with developmental disabilities are thought not capable or employable. This bill correctly
7 recognizes the ability of all persons to benefit from employment. However, the need exists to work with
8 potential employers and to develop job opportunities. That is an ongoing support that focuses on job
9 development with potential employers. Typically, Medicaid programs focus on the person's skill
10 development and not the employer. Many people are able to become self sufficient with a sustainable
11 job that leads to less dependence upon governmental support. Employment is a very desirable goal for
12 most persons that receive services from the DDD and we strongly support the concept of integrated
13 competitive job outcomes.

14 The DOH's budgetary priorities are to maintain the current HCBS waiver program and not create
15 an additional competing new waiver program focused solely on employment. We are opposed to any
16 new program that might adversely impact the existing HCBS Medicaid waiver program budget at the
17 DOH. The DOH is requesting significant funding to maintain the current HCBS waiver program due to
18 the reduction of the Federal Medicaid Assistance Program rate with the loss of the enhanced stimulus
19 funds with the expiration of the American Recovery and Reinvestment Act. The DOH defers to DHS on
20 their budget priorities since this bill appropriates funding to the DHS budget.

21 Thank you for the opportunity to testify.



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 10, 2011

The Honorable Suzanne Chun Oakland, Chair
The Honorable Les Ihara, Jr., Vice Chair
Senate Committee on Human Services
and

The Honorable Josh Green, M.D., Chair
The Honorable Clarence K. Nishihara, Vice Chair
Senate Committee on Health
Twenty-Sixth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Senators Chun Oakland and Ihara, Green and Nishihara and Members of the Committees:

SUBJECT: SB 125 – RELATING TO PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES.

The State Council on Developmental Disabilities (DD) **SUPPORTS THE INTENT OF SB 125**. The purpose of this bill is to enact an Employment Training and Placement Program to develop more effective employment systems for persons with intellectual and DD, and to require the Department of Human Services (DHS) to seek a Medicaid waiver for funding for the program.

The Council has the following comments and suggestions with respect to the bill:

1. We appreciate the consideration of placing the Employment Training and Placement Program under Chapter 333E, Hawaii Revised Statutes. The purpose of this chapter is to establish the State Council on DD as the State agency responsible for coordinating services to individuals with DD in Hawaii. Therefore, we must respectfully decline the placement as we are not a direct service providing agency. Furthermore, it states on Page 6, lines 16-17, "the DHS shall seek a Medicaid Waiver to provide funding for services under this section." This provision may be more appropriate under Chapter 346, Social Services.
2. If the Legislature intends to move this bill, we suggest that language on Page 5, lines 1-2 be amended by deleting the terms, "the mentally ill, and the physically disabled" and replacing it with "individuals with mental illness, and individuals with physical and mental disabilities." These terms reflect people-first language.

The Honorable Suzanne Chun Oakland, Chair
The Honorable Les Ihara, Jr., Vice Chair
The Honorable Josh Green, M.D., Chair
The Honorable Clarence K. Nishihara, Vice Chair
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3. We are actively working with the Department of Health DD Division, self-advocates, family members, service providers, and other stakeholders in the completion of a five-year renewal application for the Medicaid Home and Community-Based Services DD Waiver program to the Centers on Medicare and Medicaid Services (CMS). The DD Waiver program provides services and supports to over 2,500 individuals with DD to live in and be contributing members of the community.

One of the waiver services included is habilitation/supported employment (HAB-SE) that provide supports to assist individuals to obtain and sustain employment, such as job development, job coaching, and employment supports and training. The waiver that this bill mentions may be duplicating the provisions of the current DD Waiver in the above mentioned areas relating to employment. Therefore, it may not be feasible and practical to seek another Medicaid waiver.

The Council's priority would be to assure that the DD Waiver is approved by CMS and that DD Division have the necessary State match funds to fully implement the existing DD Waiver.

Overall, the Council supports initiatives to increase employment options and support for individuals with DD and the establishment of an Employment First policy. This is in keeping with one of the goals of the Council's Employment and Education Committee that persons with DD have supports to obtain and sustain employment of their choice.

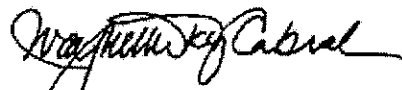
To this end, the Council has participated in the Hawaii Medicaid Infrastructure Grant, Hawaii State Employment Leadership Network (SELN), and DD Division Provider Action Group on Employment that aim to address issues faced by individuals with DD in obtaining and maintaining employment. The DD Council's Employment and Education Committee serves in an advisory capacity to the Hawaii SELN on an as needed basis.

Thank you for your consideration of our suggestions and comments, and for the opportunity to submit testimony supporting the intent of SB 125.

Sincerely,



Liz Ann Salvador
Chair



Waynette K. Y. Cabral, MSW
Executive Administrator



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State of Hawaii
Senate Committee on Human Services
The Honorable Suzanne Chun Oakland, Chair
The Honorable Les Ihara, Jr., Vice Chair

Senate Committee on Health
The Honorable Josh Green, M.D., Chair
The Honorable Clarence K. Nishihara, Vice Chair

February 10, 2011; 1:15pm
Room 016

**SB 125, Relating to Persons with Intellectual
and Developmental Disabilities**

Good afternoon, Chair Chun Oakland, Chair Green and Members
of the Senate Committees on Human Services and Health.

Lanakila Pacific supports measure SB 125 to develop more
effective employment systems for persons with intellectual and
developmental disabilities.

Our Lanakila Teaching & Learning Centers (TLC) program
currently provides Medicaid Waiver adult day services for more
than 125 people with disabilities each year.

Many of our TLC participants also want to work and become
taxpaying contributors to the economy. However, most of our TLC
participants do not qualify for the training and employment
services currently available.

The matching funding provided in this measure would provide
much needed training and employment opportunities for those who
are transitioning from formal education and waiver programs.
The far reaching impact includes self sufficiency, self confidence,
and enhanced living for participants, and in turn supports our
greater community.

Thank you for the opportunity to provide these comments.

Respectfully submitted,

Marian E. Tsuji
President & CEO

ChunOakland2 - Tyrell

From: Mike Gleason [mgleason@hiloarc.org]
Sent: Tuesday, February 01, 2011 9:02 AM
To: HMS Testimony
Subject: SB 125 Notice of Hearing Feb. 10th, 2011 at 1:15 pm

Categories: Red Category

Aloha Senator Chun-Oakland, Senator Ihara, Senator Green, Senator Nishihara and Committee members,

I am writing in support of SB 125. After 20 years as a Special Education teacher and 10 years as the President & CEO of The Arc of Hilo I know first hand of the enhancement of quality of life and dignity that employment brings to people with intellectual and developmental disabilities. A program under the department of Human Services funded by Medicaid Waiver funds would be a great step toward improving the quality of life for these citizens who want to be contributing members of their communities.

Mahalo for this consideration

Mike

Michael E. Gleason
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