



Community Alliance *for* Mental Health

March, 31, 2014

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To: House Committee on Finance
Re: SB 2855, SD 1, HD 1

Aloha Chair Luke and the members of the committee,

On behalf of the Community Alliance for Mental Health along with United Self Help we support passage of SB 2855.

The developmentally disabled are perhaps the most vulnerable members of our community. We feel that they deserve the support of the people of Hawai'i.

Scott Wall
Vice President for Policy
Community Alliance for Mental Health
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finance8-Danyl

From: mailinglist@capitol.hawaii.gov
Sent: Saturday, March 29, 2014 9:36 AM
To: FINTestimony
Cc: thirr33@gmail.com
Subject: Submitted testimony for SB2855 on Mar 31, 2014 14:00PM
Attachments: SB2855 hd1 HSCR985-14 DOH Disability Approrpriation.gif

SB2855

Submitted on: 3/29/2014

Testimony for FIN on Mar 31, 2014 14:00PM in Conference Room 308

Submitted By	Organization	Testifier Position	Present at Hearing
Arvid Tadao Youngquist	The Mestizo Association	Support	No

Comments: Chair, Rep. Sylvia Luke, House FIN Committee Vice Chairs, Representatives: Scott Y. Nishimoto & Aaron Ling Johanson (R) Right Honorable Democrats & Republican Members of the House FIN Committee As mentioned in the previous Committee Report, since the FIN Committee is holding this hearing, recommend that at least \$.5 Million appropriation be made and be effective prior to the expiration of funding resources and earlier than the "defective date". Many of the citizens originally residing in the Compact Pacific region islands, were exposed to nuclear weapon testing. Thus obligating the U.S.A. to provide benefits and health care. The USA should also be asked to continue & expand & match subsidize this State with additional funding. However, as you know, the U.S. House is not controlled by the Majority Party. It is incumbent upon this bi-partisan FIN Committee & bi-partisan House to set to rights and continue it in the right path while individuals and their ohana suffer neglect and insufficient outreachg. As an idea born and raised in Japan, where both Nagasaki and Hiroshima were bombed in the course of WW II conclusion decision strategy, The Mestizo Associaton is most adamantly in support of people who are exposed to nuclear bomb testing in Peace time although during the Cold War. Please consider a higher amount if possible, even if it means sacrificing the good SCR and SR, and HCR, and HR proposing that the Executive Branch and the Federal Government pursue other spending priorities for different segments of the commu nity and society. People first before politics. Me Ke Aloha Pumehana, Arvid Tadao Youngquist Administrator, Founder, & Spokesman

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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LATE

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

In reply, please refer to:
File:

House Committee on Finance

**SB 2855, SD1, HD1, Making an Emergency Appropriation to the
Department of Health for the Developmental Disabilities Division**

**Testimony of Linda Rosen, M.D., M.P.H
Director of Health**

March 31, 2014

1 **Department's Position:** The Department of Health strongly supports this emergency administrative
2 measure to provide additional funding resources for the Developmental Disabilities Division's Home
3 and Community Based Services (HCBS) 1915c Medicaid Waiver program to provide new services
4 during this fiscal year for adults and children living in Hawaii as citizens of Compact of Free
5 Association (COFA) countries per federal court injunction in an appeal by the State of Hawaii.

6 **Fiscal Implications:** The fiscal implications to the Department of Health are anticipated to be \$500,000
7 for this fiscal year. Additional costs of \$2,000,000 are expected to be incurred in FY2015.

8 **Purpose and Justification:**

9 The Developmental Disabilities Division was informed by the Attorney General's office on January 16,
10 2014 that COFA citizens must be provided community based services with 100% State funds from the
11 Department of Health to comply with a federal court directive to the Hawaii Department of Human
12 Services' Medicaid program. This new development will allow the Department to immediately make
13 eligible 47 individuals and provide HCBS services. The Department of Health defers to the Department
14 of the Attorney General for interpretation of the legal directive.

15 Thank you for the opportunity to testify on this measure.



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
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March 31, 2014

LATE

The Honorable Sylvia Luke, Chair
House Committee on Finance
Twenty-Seventh Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Representative Luke and Members of the Committee:

SUBJECT: SB 2855 SD1 HD1– Making an Emergency Appropriation to the Department of Health for the Developmental Disabilities Division

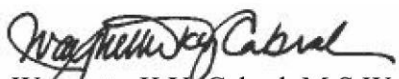
The State Council on Developmental Disabilities (DD) **SUPPORTS SB 2855 SD1 HD1**. The bill authorizes an emergency appropriation for FY 2013-2014, \$500,000 from general funds to the Department of Health for ongoing services provided by the DD Division.

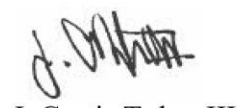
The Department of Health DD Division was appropriated funds for FY 2013-2014. However, due to a preliminary injunction issued by the Honorable Michael Seabright in his Order Granting Plaintiffs' Motion for Preliminary Injunction filed December 13, 2010 in *Korab, et al. v. McManaman, et al.*, Civil No. 10-00483 JMS/KSC (USDC, Dist. of Hawaii), the DD Division is now obligated to provide Medicaid Title XIX program services to the Compact of Free Association (COFA) population who are eligible for DD services. The emergency appropriation will address the needs of 47 COFA individuals who are estimated to be eligible for services from DD Division while complying with the preliminary injunction.

Without the emergency appropriation, DD Division would not be able to provide services to the eligible COFA individuals. Consequently, they may be forced to tap into their FY 2013-2014 appropriation, which would impact current individuals receiving Medicaid Title XIX program services and potentially create a waitlist for services that would jeopardize the Makin Settlement Agreement.

Thank you for the opportunity to submit comments in **support of SB 2855 SD1 HD1**.

Sincerely,


Waynette K.Y. Cabral, M.S.W.
Executive Administrator


J. Curtis Tyler, III
Chair