
A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH
FOR THE DEVELOPMENTAL DISABILITIES DIVISION.

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

1 SECTION 1. This Act is recommended by the governor for
2 immediate passage in accordance with section 9 of article VII of
3 the Constitution of the State of Hawaii.

4 SECTION 2. The legislature finds that although funds were
5 appropriated to the department of health for the developmental
6 disabilities division for the fiscal period beginning July 1,
7 2013, and ending June 30, 2014, a funding emergency now exists.
8 Pursuant to a preliminary injunction issued by the Honorable J.
9 Michael Seabright in his Order Granting Plaintiffs' Motion for
10 Preliminary Injunction filed December 13, 2010, in Korab, et al.
11 v. McManaman, et al., Civil No. 10-00483 JMS/KSC (USDC, Dist. of
12 Hawaii), the division is now obligated to provide medicaid title
13 XIX program services to the Compact of Free Association (COFA)
14 population that is eligible for developmental disabilities
15 services using one hundred per cent state funding for the
16 current fiscal year.



1 This emergency appropriation is necessary for the
2 department to continue existing services to meet the needs of
3 the COFA population that is eligible for developmental
4 disabilities services and to continue funding services mandated
5 pursuant to chapter 333F, Hawaii Revised Statutes.

6 The purpose of this Act is to make an emergency
7 appropriation to provide COFA adults and children who are
8 eligible for developmental disabilities services with services
9 through medicaid title XIX programs of the developmental
10 disabilities division.

11 SECTION 3. There is appropriated out of the general
12 revenues of the State of Hawaii the sum of \$ or so much
13 thereof as may be necessary for fiscal year 2013-2014 to provide
14 the Compact of Free Association population that is eligible for
15 developmental disabilities services with ongoing services of the
16 developmental disabilities division of the department of health.

17 The sum appropriated shall be expended by the department of
18 health for the purposes of this Act.

19 SECTION 4. This Act shall take effect on July 1, 2050.



Report Title:

Emergency Appropriation; Developmental Disabilities; COFA

Description:

Makes an emergency appropriation to enable the Department of Health to continue providing developmental disabilities services to eligible Compact of Free Association adults and children. Effective July 1, 2050. (SB2855 HD1)

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