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## A BILL FOR AN ACT

RELATING TO PERSONS WITH DISABILITIES.

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

1           SECTION 1. The legislature finds that employment is one  
2 key to full civic engagement for individuals with developmental  
3 or intellectual disabilities. In addition to improving economic  
4 well-being, employment increases self-worth, builds  
5 relationships, and provides access to community resources.  
6 Employment establishes community connections that allow people  
7 to become contributing and valued members of their community.

8           The legislature further finds that employment first is a  
9 policy based upon the idea that working age persons with  
10 developmental or intellectual disabilities can work in jobs  
11 fully integrated in the community. Integrated employment  
12 includes typical workplace settings that offer regular  
13 opportunities for meaningful interaction with coworkers,  
14 customers, and the community. The employment of persons with  
15 developmental or intellectual disabilities adds to the diversity  
16 of the workforce and general enrichment of communities.



1           The purpose of this Act is to establish an employment first  
2 policy for persons with developmental or intellectual  
3 disabilities in Hawaii.

4           SECTION 2. Chapter 333F, Hawaii Revised Statutes, is  
5 amended by adding a new section to be appropriately designated  
6 and to read as follows:

7           "§333F-       Employment first policy; committee. (a) In  
8 furtherance of the State's responsibility to provide support and  
9 services for persons with developmental or intellectual  
10 disabilities in order to support them in living self-determined  
11 lives, it shall be the policy of the State to provide greater  
12 opportunities for integrated, competitive employment for working  
13 age persons with developmental or intellectual disabilities.  
14 Integrated, competitive employment is intended to be the first  
15 option considered by the department for working age persons with  
16 developmental or intellectual disabilities; provided that the  
17 person may choose goals other than integrated, competitive  
18 employment. This policy shall be construed to be consistent  
19 with the rights established pursuant to section 333F-8.

20           (b) The department shall establish an employment first  
21 committee to serve in an advisory capacity for the



1 implementation of the employment first policy. The director of  
2 health shall serve as chairperson of the employment first  
3 committee and appoint members as may be necessary; provided that  
4 the membership shall at least include representatives or  
5 advocates for employers and individuals with developmental or  
6 intellectual disabilities.

7 (c) The employment first committee shall:

8 (1) Identify the roles and responsibilities of state and  
9 county agencies in enhancing integrated, competitive  
10 employment opportunities for persons with  
11 developmental or intellectual disabilities;

12 (2) Identify strategies, best practices, and incentives  
13 for increasing integrated, competitive employment  
14 opportunities for people with developmental or  
15 intellectual disabilities, including ways to improve  
16 the transition planning process for students and to  
17 develop partnerships with employers and job  
18 developers;

19 (3) Identify sources of employment data and make  
20 recommendations for increasing integrated, competitive



- 1           employment for persons with developmental or  
2           intellectual disabilities;
- 3           (4) Identify sources of consumer data that may be used to  
4           provide demographic information, including age,  
5           gender, ethnicity, types of disability, and geographic  
6           location, and that may be matched with employment data  
7           to identify outcomes and trends of the employment  
8           first policy;
- 9           (5) Recommend goals for measuring employment participation  
10           and outcomes for persons within the developmental  
11           disabilities system; and
- 12           (6) Recommend statutory, rule, and policy changes to  
13           increase the number of persons with developmental or  
14           intellectual disabilities in integrated, competitive  
15           employment.
- 16           (d) The members of the employment first committee shall  
17           serve without compensation but shall be reimbursed for expenses,  
18           including travel expenses, necessary for the performance of  
19           their duties.
- 20           (e) The employment first committee shall submit a report  
21           to the legislature no later than twenty days prior to the



1 convening of the regular session of 2016, and each regular  
2 session thereafter, on its activities and recommendations during  
3 the year preceding the report.

4 (f) For purposes of this section:

5 "Competitive employment" means work in the competitive  
6 labor market that is performed on a full-time or part-time basis  
7 in an integrated setting and for which an individual is  
8 compensated at or above the minimum wage, but not less than the  
9 customary wage and level of benefits paid by the employer for  
10 the same or similar work performed by persons who are not  
11 disabled.

12 "Integrated employment" means employment of a person with  
13 developmental or intellectual disabilities in a setting  
14 typically found in the community in which the person interacts  
15 with persons without disabilities other than those who are  
16 providing services to the person with developmental or  
17 intellectual disabilities, to the same extent that persons  
18 without disabilities in comparable positions interact with other  
19 persons."

20 SECTION 3. New statutory material is underscored.



# H.B. NO. 860

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

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INTRODUCED BY:

John M. [Signature]

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JAN 26 2015



# H.B. NO. 860

**Report Title:**

Developmental or Intellectual Disabilities; Employment First

**Description:**

Establishes an employment first policy for persons with developmental or intellectual disabilities in Hawaii. Requires the DOH to establish an employment first committee.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

