

todd2 - Chloe

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 8, 2017 5:45 PM
To: HUS testimony
Cc: 5elladonna@gmail.com
Subject: Submitted testimony for HR32 on Mar 15, 2017 09:30AM

HR32

Submitted on: 3/8/2017

Testimony for HUS on Mar 15, 2017 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
liz Sappington	Individual	Support	No

Comments: I work with adults with developmental and intellectual disabilities. They don't have much. They cant! There are few benefits that they do get. Any measures that would curtail their access to Medicaid should be denied. They deserve better. they need better.

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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todd2 - Chloe

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, March 8, 2017 3:09 PM
To: HUS testimony
Cc: michaelo@thearcinhawaii.org
Subject: *Submitted testimony for HR32 on Mar 15, 2017 09:30AM*

HR32

Submitted on: 3/8/2017

Testimony for HUS on Mar 15, 2017 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Michael A Owen	Individual	Support	No

Comments:

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Representative Dee Morikawa, Chair
Representative Chris Todd, Vice-Chair
Members of the Committee: Representatives Della Au Belatti, Marcus R. Oshiro Sharon E. Har, Andria P.L. Tupola, and Bertrand Kobayashi

Re: HCR65 and HR32, scheduled for hearing by the Committee on Human Services Friday, March 10 at 9:30am.

Honorable Representatives:

I support HCR65 and HR32, which urge the Department of Human Services to not consider certain benefits under Title II of the Social Security Act as income when determining Medicaid eligibility, by taking the necessary steps to adopt the income disregard provisions of federal law.

The problem these resolutions are intended to correct is the so-called "Medicaid Cost Share" or "spend down." This occurs when the total amount of federal and state disability benefits received by an individual exceeds the maximum income eligibility standard for Medicaid. In order to continue Medicaid coverage, the individual must "spend down" all but \$469 of income to cover Medicaid services. After a \$50 personal expense allowance, tenants are left with only \$419 for room, board, transportation, clothing and all other living expenses. Obviously, no one can survive on this income in Hawaii or anywhere else.

The result is irrational: For example, \$419 falls far short of the \$1,336.90 monthly payment normally contractually obligated as payment for these services in The Arc in Hawaii's DD Dom Homes.

Federal law does not mandate this result. Often the excess countable income is due to the receipt of, or an increase in the amount of, federal Social Security income received by a disabled adult child on his or her parent's social security account (DAC Benefits). When the child becomes eligible for DAC benefits, or when the DAC benefit is increased, this amount sometimes increases the countable income of the recipient over the Medicaid income eligibility standard, resulting in the Medicaid Cost Share spend down described above.

However, it is **optional** for the State of Hawaii to disregard the amount of DAC or an increase in the DAC amount to the extent it triggers Cost Share. The details are set forth in the CMS Disability and Aging TA Series #01 Memorandum dated June 12, 2002, *Groups Deemed to be Receiving SSI for Medicaid Purposes*.

I urge this Committee to pass HCR65 and HR32 in the interest of fairness and equal treatment to this already underserved and marginalized group of our fellow citizens.

Thank you for the opportunity to submit testimony.

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todd2 - Chloe

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, March 7, 2017 8:36 PM
To: HUS testimony
Cc: rkailianu57@gmail.com
Subject: *Submitted testimony for HR32 on Mar 10, 2017 09:30AM*

HR32

Submitted on: 3/7/2017

Testimony for HUS on Mar 10, 2017 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Rachel L. Kailianu	Individual	Support	Yes

Comments:

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todd2 - Chloe

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 9, 2017 8:14 PM
To: HUS testimony
Cc: alohadebbk@yahoo.com
Subject: *Submitted testimony for HR32 on Mar 15, 2017 09:30AM*

HR32

Submitted on: 3/9/2017

Testimony for HUS on Mar 15, 2017 09:30AM in Conference Room 329

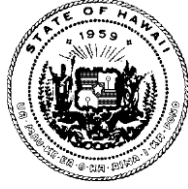
Submitted By	Organization	Testifier Position	Present at Hearing
Deborah Kobayakawa	Individual	Oppose	No

Comments:

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DAVID Y. IGE
GOVERNOR



PANKAJ BHANOT
DIRECTOR

BRIDGET HOLTHUS
DEPUTY DIRECTOR

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

LATE

March 15, 2017

TO: The Honorable Dee Morikawa, Chair
House Committee on Human Services

FROM: Pankaj Bhanot, Director

SUBJECT: **HCR 65/HR 32 – URGING THE DEPARTMENT OF HUMAN SERVICES TO NOT
CONSIDER CERTAIN BENEFITS UNDER TITLE II OF THE SOCIAL SECURITY ACT AS
INCOME WHEN DETERMINING MEDICAID ELIGIBILITY**

Hearing: March 15, 2017, 9:30 a.m.
Conference Room 329, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) offers comments.

PURPOSE: The purpose of House Concurrent Resolution 65 and House Resolution 32 is to urge DHS to not consider certain benefits under Title II of the Social Security Act as income when determining Medicaid eligibility for individuals identified as Disabled Adult Children (DAC).

DHS appreciates the intent of the resolution to disregard the increases of federal Social Security Title II income, also referred to as DAC benefits, received by a disabled adult child on his/her parent's social security account. We note here that the Med-QUEST division already amended the Hawaii Administrative Rules (HAR) related to DAC, chapter 17-1722, HAR, sections 17-1722-145 to 17-1722-149, to address this issue. Per subsection 17-1722-148(c), the amount of Title II income that exceeds the Supplemental Security Income (SSI)/State Supplementary Payment (SSP) payment standard shall be disregarded.

Thus, while we believe this section of the HAR provides adequate guidance related to the disregard of income that exceeds the SSI/SSP payment standard, we will revisit the applicable HAR subsections to ensure they provide proper guidance to accomplish our shared goals of

continuance of an individual's full Medicaid benefits as allowed by federal law, and avoiding redeterminations under a Medically Needy program due to increased Social Security Income when not appropriate.

Thank you for this opportunity to provide comments on this resolution.