

Honolulu, Hawaii

MAR 23 2018

RE: H.B. No. 538
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committees on Human Services and Commerce, Consumer Protection, and Health, to which was referred H.B. No. 538, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

beg leave to report as follows:

The purpose and intent of this measure is to:

- (1) Create the intellectual and developmental disabilities Medicaid waiver administrative claiming special fund;
and
- (2) Require the Department of Human Services to report to the Legislature an annual report of the receipts of and expenditures from the special fund.

Your Committees received testimony in support of this measure from the Department of Human Services, Department of Health, State Council on Developmental Disabilities, The Arc in Hawaii, Full Life, Catholic Charities Hawai'i, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, The Arc of Kona, Easterseals Hawaii, and twelve individuals. Your Committees received comments on this measure from the Hawaii Disability Rights Center.



Your Committees find that the Department of Health's Developmental Disabilities Division operates the Hawaii Medicaid Section 1915(c) Home and Community-Based Services for People with Intellectual and Developmental Disabilities Waiver (Section 1915(c) Waiver) pursuant to a memorandum of agreement with the Department of Human Services, which supervises the administration of the Section 1915(c) Waiver. The Department of Health has claimed minimal amounts of allowable Medicaid federal financial participation, or Medicaid waiver administrative claiming funds, for the proper and necessary costs it incurred in administering the Section 1915(c) Waiver. However, these Medicaid waiver administrative claiming funds are currently being deposited into the general fund, which limits the Developmental Disabilities Division's ability to implement new federal requirements for the Section 1915(c) Waiver. The creation of the intellectual and developmental disabilities Medicaid waiver administrative claiming special fund will allow the Developmental Disabilities Division to use monies for various services to assist individuals, families, and community stakeholders applying for and navigating the Section 1915(c) Waiver process. Your Committees further find that establishing a working group will provide an opportunity for the Division to improve existing services for individuals applying for and currently enrolled in the Section 1915(c) Waiver program.

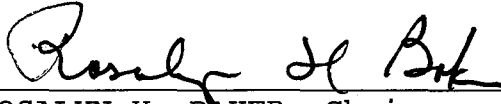
Your Committees have amended this measure by:

- (1) Inserting language to require the State Council on Developmental Disabilities to establish a temporary working group to examine and evaluate the application process of the Section 1915(c) Waiver and existing services provided by the Developmental Disabilities Division; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

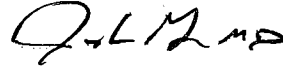
As affirmed by the records of votes of the members of your Committees on Human Services and Commerce, Consumer Protection, and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 538, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 538, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.



Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Commerce, Consumer
Protection, and Health,



ROSALYN H. BAKER, Chair

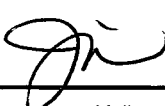


JOSH GREEN, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 538 HD1	HMS/CPH, WAM	3/15/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310		
<input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	—			
TOKUDA, Jill N. (VC)	—			
CHANG, Stanley				—
ESPERO, Will	—			
IHARA, Jr., Les	—			
NISHIHARA, Clarence K.				—
RUDERMAN, Russell E.				—
TOTAL	4			3
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution:				
Original	Yellow	Pink	Goldenrod	
File with Committee Report	Clerk's Office	Drafting Agency	Committee File Copy	

*Only one measure per Record of Votes