

Honolulu, Hawaii

APR 26 2019

RE: S.B. No. 242
S.D. 2
H.D. 2
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 242, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to establish a task force to study issues related to the accessibility and utilization of essential services by developmentally and intellectually disabled individuals in the State.

Your Committee on Conference finds that navigation, access, and coverage of Medicaid services under the State's present system of care can be complicated to navigate. This measure establishes a task force within the Behavioral Health Services Administration of the Department of Health to study issues relating to the accessibility and utilization of essential services. Your Committee on Conference notes that the accessibility and utilization of



essential services can be particularly challenging for persons with autism or fetal alcohol spectrum disorder and it is important for Hawaii to make an effort to minimize these burdens. Amendments to this measure are therefore necessary to clarify the scope of the task force and make other amendments needed to ensure that Medicaid home and community-based services and other Medicaid services are more accessible to persons with autism or fetal alcohol spectrum disorder.

Your Committee on Conference has amended this measure by:

- (1) Inserting a purpose section and naming this measure "Ann and Kelii's Law";
- (2) Amending certain requirements for the task force, including:
 - (A) Clarifying that the task force is to be established jointly within the Behavioral Health Services Administration of the Department of Health and the Med-QUEST Division of the Department of Human Services;
 - (B) Clarifying that the purpose of the task force is to review policy issues and opportunities relating to the navigation, access, and coverage of Medicaid services by persons with autism or fetal alcohol spectrum disorder;
 - (C) Updating the composition of the task force;
 - (D) Clarifying the contents of the study to be submitted to the Legislature;
 - (E) Requiring the task force to analyze and make a recommendation on whether a waiver, a waiver amendment, or any other necessary policy approval from the Centers for Medicare and Medicaid Services may be necessary to ensure certain services are accessible to persons with autism or fetal alcohol spectrum disorder; and
 - (F) Specifying reimbursement, convening, and dissolution requirements for the task force;



- (3) Requiring the Department of Human Services to seek a waiver, waiver amendment, or other necessary policy approval from the Centers for Medicare and Medicaid Services, if recommended by the task force;
- (4) Specifying that the provision of home and community-based services and other Medicaid services for individuals diagnosed with autism or fetal alcohol spectrum disorder as required by this measure applies to all plans issued under Medicaid managed care and fee-for-service programs in the State only upon approval of any policy change by the Centers for Medicare and Medicaid Services;
- (5) Requiring the Legislature to appropriate any necessary state dollars sufficient to cover the state portion of increased Medicaid expenditures arising from any approved waiver, waiver amendment, or other necessary policy approval and specifying an appropriation is required prior to implementation of any approved waiver, waiver amendment, or policy change;
- (6) Inserting a savings clause and a severability clause;
- (7) Changing its effective date to July 1, 2019; and
- (8) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

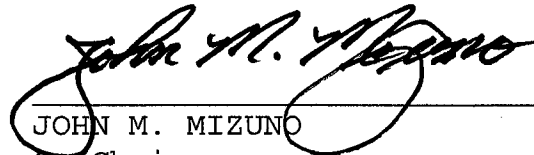
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 242, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 242, S.D. 2, H.D. 2, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

ON THE PART OF THE SENATE



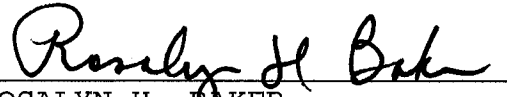
JOHN M. MIZUNO
Co-Chair



RUSSELL E. RUDERMAN
Chair




ROY M. TAKUMI
Co-Chair



ROSALYN H. BAKER
Co-Chair



BERTRAND KOBAYASHI
Co-Chair



GIL RIVIERE
Co-Chair



Record of Votes of a Conference Committee

Bill / Concurrent Resolution No.: SB 242, SD 2, HD 2	Date/Time: 4/24/19 3:10 PM
--	-----------------------------------

The recommendation of the House and Senate managers is to pass with amendments (CD).

The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
---	---

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
RUDERMAN, Russell E., Chr.	X				MIZUNO, John M., Co-Chr.	X			
BAKER, Rosalyn H., Co-Chr.				X	TAKUMI, Roy M., Co-Chr.				X
RIVIERE, Gil, Co-Chr.	X				KOBAYASHI, Bertrand, Co-Chr.	X			
THIELEN, Laura H.				X	CACHOLA, Romy M.	X			
FEVELLA, Kurt	X				WARD, Gene	X			
TOTAL	3	0	0	2	TOTAL	4	0	0	1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
---	--

Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
--	---

Distribution: **Original** **Yellow** **Pink** **Goldenrod**
 File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency