
HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH'S DEVELOPMENTAL DISABILITIES DIVISION TO MAINTAIN THE INTEGRITY OF CHAPTER 333F, HAWAII REVISED STATUTES, TO SERVE INDIVIDUALS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES REGARDLESS OF WHETHER THEY HAVE SIGNIFICANT MEDICAL AND BEHAVIORAL NEEDS OR A DUAL DIAGNOSIS OF A DEVELOPMENTAL DISABILITY AND MENTAL ILLNESS.

1 WHEREAS, individuals with developmental disabilities and
2 their families are more often than not frustrated by the current
3 system of care and its philosophical underpinnings that seem to
4 favor provider agencies and a constantly changing, bureaucratic
5 approach to service delivery that puts the interests of rules
6 and regulations ahead of the interests of individuals; and
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8 WHEREAS, instead, individuals would like to see a person-
9 centered service system that provides continuity and stability
10 of services and supports characterized by a comprehensive
11 understanding of individuals' strengths, desires, hopes, and
12 aspirations and provided in a manner that reflects a sincere
13 commitment to maximizing opportunities for individuals to
14 function with as much independence and self-determination as
15 possible; and
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17 WHEREAS, once an adult with a developmental disability is
18 determined to be eligible for services under the Department of
19 Health's Developmental Disabilities Division, it is not
20 necessary to reevaluate their eligibility again; and
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22 WHEREAS, for individuals with developmental disabilities,
23 their eligibility for services under the Developmental
24 Disabilities Division is not contingent upon their eligibility
25 for Medicaid or Medicaid-funded services; and
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27 WHEREAS, for individuals who are eligible for services
28 under the Developmental Disabilities Division for their
29 developmental disability condition, they will maintain their
30 eligibility regardless of whether they have significant medical
31 and behavioral needs or have a dual diagnosis of a developmental
32 disability and mental illness; and



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 2 WHEREAS, people with developmental disabilities will be
 3 actively involved in policy discussions and decisions and will
 4 be respected as partners in the process, making informed choices
 5 and decisions in order to support productive and fulfilling
 6 lives; and

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 8 WHEREAS, families and guardians will be listened to and
 9 respected, and the Developmental Disabilities Division will
 10 strive to earn and keep their trust along with the trust of the
 11 public; and

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 13 WHEREAS, home and community-based options will promote the
 14 availability and usage of self-directed services; and

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 16 WHEREAS, public resources will be used effectively and
 17 efficiently to help those served achieve their goals; and

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 19 WHEREAS, the integration of habilitation, social, and
 20 clinical supports will be considered paramount when enhancing
 21 and developing services throughout the delivery system; now,
 22 therefore,

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 24 BE IT RESOLVED by the House of Representatives of the
 25 Thirtieth Legislature of the State of Hawaii, Regular Session of
 26 2020, that the Department of Health's Developmental Disabilities
 27 Division is requested to maintain the integrity of chapter 333F,
 28 Hawaii Revised Statutes, to serve individuals with developmental
 29 or intellectual disabilities regardless of whether they have
 30 significant medical and behavioral needs or a dual diagnosis of
 31 a developmental disability and mental illness; and

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 33 BE IT FURTHER RESOLVED that the Developmental Disabilities
 34 Division is requested to:

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 36 (1) Review the existing state statutory definition of
 37 "developmental disabilities" in comparison to other
 38 states and study the impacts of changing the
 39 definition of "developmental disabilities";
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- 1 (2) Discuss general eligibility issues relating to the
- 2 current statutory definition of "developmental
- 3 disabilities";
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- 5 (3) Identify gap groups that are currently ineligible for
- 6 developmental disabilities services but are part of
- 7 the intellectual and developmental disabilities
- 8 population; and
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- 10 (4) Determine strategies to meet the increasing needs of
- 11 the intellectual and developmental or physical
- 12 disabilities population, including but not limited to
- 13 identifying and engaging agencies that can address
- 14 such needs with a focus on identifying and attempting
- 15 to provide appropriate safety net processes or
- 16 services to as large a segment as feasible of the
- 17 identified gap groups; and
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19 BE IT FURTHER RESOLVED that the Developmental Disabilities
 20 Division is requested to submit a report of its findings and
 21 recommendations, including any proposed legislation, to the
 22 Legislature no later than twenty days prior to the convening of
 23 the Regular Session of 2021; and

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 25 BE IT FURTHER RESOLVED that certified copies of this
 26 Resolution be transmitted to the Governor, Attorney General,
 27 Director of Health, Director of Human Services, Executive
 28 Director of the Hawaii State Council on Developmental
 29 Disabilities, Executive Director of the Hawaii Disability Rights
 30 Center, Acting Director of the University of Hawaii Center on
 31 Disability Studies, and Executive Director of the National
 32 Association of State Directors of Developmental Disabilities.

OFFERED BY:

John W. Stein

Touhy
Staudt



H.R. NO. 159

[Signature]

Lyn DeCristo

[Signature]

Rachel Linn

[Signature]

Nadine K. Parker

MAR - 6 2020

