

MAR - 6 2020

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# SENATE CONCURRENT 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



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1 eligibility regardless of whether they have significant medical  
2 and behavioral needs or have a dual diagnosis of a developmental  
3 disability and mental illness; and  
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5 WHEREAS, people with developmental disabilities will be  
6 actively involved in policy discussions and decisions and will  
7 be respected as partners in the process, making informed choices  
8 and decisions in order to support productive and fulfilling  
9 lives; and  
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11 WHEREAS, families and guardians will be listened to and  
12 respected, and the Developmental Disabilities Division will  
13 strive to earn and keep their trust along with the trust of the  
14 public; and  
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16 WHEREAS, home and community-based options will promote the  
17 availability and usage of self-directed services; and  
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19 WHEREAS, public resources will be used effectively and  
20 efficiently to help those served achieve their goals; and  
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22 WHEREAS, the integration of habilitation, social, and  
23 clinical supports will be considered paramount when enhancing  
24 and developing services throughout the delivery system; now,  
25 therefore,  
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27 BE IT RESOLVED by the Senate of the Thirtieth Legislature  
28 of the State of Hawaii, Regular Session of 2020, the House of  
29 Representatives concurring, that the Department of Health's  
30 Developmental Disabilities Division is requested to maintain the  
31 integrity of chapter 333F, Hawaii Revised Statutes, to serve  
32 individuals with developmental or intellectual disabilities  
33 regardless of whether they have significant medical and  
34 behavioral needs or a dual diagnosis of a developmental  
35 disability and mental illness; and  
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37 BE IT FURTHER RESOLVED that the Developmental Disabilities  
38 Division is requested to:  
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- 40 (1) Review the existing state statutory definition of  
41 "developmental disabilities" in comparison to other



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1 states and study the impacts of changing the  
2 definition of "developmental disabilities";



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4 (2) Discuss general eligibility issues relating to the  
5 current statutory definition of "developmental  
6 disabilities";

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8 (3) Identify gap groups that are currently ineligible for  
9 developmental disabilities services but are part of  
10 the intellectual and developmental disabilities  
11 population; and

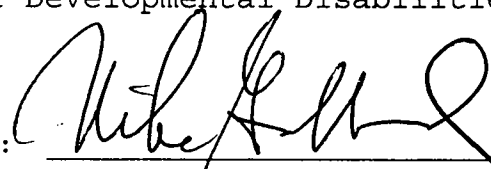
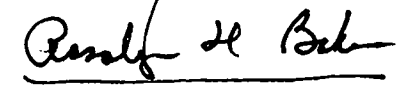

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13 (4) Determine strategies to meet the increasing needs of  
14 the intellectual and developmental or physical  
15 disabilities population, including but not limited to  
16 identifying and engaging agencies that can address  
17 such needs with a focus on identifying and attempting  
18 to provide appropriate safety net processes or  
19 services to as large a segment as feasible of the  
20 identified gap groups; and

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22 BE IT FURTHER RESOLVED that the Developmental Disabilities  
23 Division is requested to submit a report of its findings and  
24 recommendations, including any proposed legislation, to the  
25 Legislature no later than twenty days prior to the convening of  
26 the Regular Session of 2021; and

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

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OFFERED BY:



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