

MAR - 6 2020

SENATE CONCURRENT RESOLUTION

REQUESTING THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH TO CHANGE ITS ELIGIBILITY CRITERIA FOR THE HOME AND COMMUNITY-BASED SERVICES MEDICAID WAIVER FOR INDIVIDUALS HAVING INTELLECTUAL OR DEVELOPMENTAL DISABILITIES, OR MENTAL ILLNESSES.

1 WHEREAS, the Med-QUEST Division of the Department of Human
2 Services works in partnership with the Developmental
3 Disabilities Division of the Department of Health and
4 stakeholders to design a waiver that meets the needs of Hawaii
5 residents having intellectual and developmental disabilities;
6 and

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8 WHEREAS, both divisions ensure that the waiver is
9 implemented in compliance with all waiver requirements, federal
10 and state laws, and waiver standards; and

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12 WHEREAS, individuals who are eligible for services from the
13 Developmental Disabilities Division, are Medicaid eligible, and
14 if they meet the level of care criteria, can apply for the
15 Medicaid I/DD Waiver, otherwise known as the Home and Community-
16 Based Services Medicaid waiver for Individuals with Intellectual
17 and Developmental Disabilities; and

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19 WHEREAS, under the current administrative rules of the
20 Developmental Disabilities Division of the Department of Health,
21 individuals are deemed ineligible for the Medicaid I/DD Waiver
22 if their impairments are due to any of several specified
23 conditions such as dementia, mental illness, emotional
24 disorders, substance abuse, sensory impairment, learning
25 disabilities, attention deficit hyperactivity disorder, spinal
26 cord injuries, or neuromuscular disorders; and

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28 WHEREAS, the current administrative rules unfairly deny
29 eligibility to an individual who also has an eligible condition



1 such as cerebral palsy; epilepsy; autism spectrum disorder; or a
2 neurological condition, central nervous system disorder, or
3 chromosomal disorder that results in impairment in both general
4 intellectual functioning and adaptive behavior;
5 now, therefore,
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7 BE IT RESOLVED by the Senate of the Thirtieth Legislature
8 of the State of Hawaii, Regular Session of 2020, the House of
9 Representatives concurring, that the Developmental Disabilities
10 Division of the Department of Health is requested to change its
11 eligibility criteria for the Home and Community-Based Services
12 Medicaid Waiver for individuals with intellectual or
13 developmental disabilities, or mental illnesses; and
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15 BE IT FURTHER RESOLVED that the Director of Health is
16 requested to submit a status report on its development of new
17 eligibility criteria, including any proposed legislation, to the
18 Legislature no later than twenty days prior to the convening of
19 the Regular Session of 2021; and
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21 BE IT FURTHER RESOLVED that certified copies of this
22 Concurrent Resolution be transmitted to the Director of Health,
23 Administrator of the Division of Developmental Disabilities,
24 Director of Human Services, and Administrator of the Med-QUEST
25 Division.
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OFFERED BY:

Kurt Fowler
By Request

