

Honolulu, Hawaii

FEB 17 2022

RE: S.B. No. 2748
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committees on Health and Human Services, to which was referred S.B. No. 2748 entitled:

"A BILL FOR AN ACT RELATING TO THE INDIVIDUALS WITH
DISABILITIES EDUCATION ACT,"

beg leave to report as follows:

The purpose and intent of this measure is to require the Department of Health to submit a request, as authorized by federal regulation, to the United States Department of Education to allow parents of children with a disability to continue receiving early intervention services after the child turns three years of age and until the child enters kindergarten.

Your Committees received testimony in support of this measure from the Disability and Communication Access Board, Hawai'i Association for Behavior Analysis, and three individuals. Your Committees received comments on this measure from the Department of Health and Hawaii Children's Action Network Speaks!

Your Committees find that under the federal Individuals with Disability Education Act, P.L. 101-476 (IDEA), the State is required to provide services to support the development of infants and toddlers with disabilities from birth until three years old. IDEA provides states with the option to extend early intervention services to eligible children between the ages of three and five



years old. This measure requires the Department of Health to exercise the option to extend early intervention services.

Your Committees acknowledge the testimony from the Department of Health and other stakeholders who raised concerns that the Department does not have sufficient resources or funding to implement the extension of early intervention services. Your Committees also find that the measure, as currently drafted, adds a provision to the Hawaii Revised Statutes; however, the measure is not intended to be a general and permanent law of the State and would be better styled as session law.

Therefore, your Committees have amended this measure by:

- (1) Making an appropriation to the Department of Health to plan, prepare and implement the extended Part C option, which may include hiring staff;
- (2) Planning the provisions in session law rather than amending the Hawaii Revised Statutes;
- (3) Inserting an effective date of January 1, 2050, to encourage further discussion; and
- (4) 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 Health and Human Services that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2748, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2748, S.D. 1, and be referred to your Committees on Judiciary and Ways and Means.

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



JOY A. SAN BUENAVENTURA, Chair


JARRETT KEOHOKALOOLE, Chair



The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Human Services
HMS

Bill / Resolution No.:* SB 2748	Committee Referral: HTH/HMS, JDC/WAM	Date: 02/10/2022		
<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
SAN BUENAVENTURA, Joy A. (C)	✓			
IHARA, Jr., Les (VC)	✓			
ACASIO, Laura	✓			
MISALUCHA, Bennette E.	✓			
FEVELLA, Kurt				✓
TOTAL	4	0	0	1
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

The Senate
Thirty-First Legislature
State of Hawai'i

Record of Votes
Committee on Health
HTH

Bill / Resolution No.:*	Committee Referral:		Date:	
SB 2748	HTH/HMS, JDC/WAM		2-10-2022	
<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
KEOHOKALO,LE, Jarrett (C)	✓			
BAKER, Rosalyn H. (VC)	✓			
MORIWAKI, Sharon Y.				✓
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt				✓
TOTAL	3	-	-	2
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: <i>Rosalyn H Baker</i>				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

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