

STAND. COM. REP. NO. 3536

Honolulu, Hawaii

MAR 30 2022

RE: S.R. No. 114
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.R. No. 114 entitled:

"SENATE RESOLUTION REQUESTING THE DEPARTMENT OF HEALTH AND DEPARTMENT OF HUMAN SERVICES TO JOINTLY DEVELOP AND ADOPT ALL RULES, POLICIES, AND PLAN AMENDMENTS NECESSARY FOR THE STATE MEDICAID PROGRAM TO COVER MEDICALLY-NEEDED SERVICES, INCLUDING APPLIED BEHAVIOR ANALYSIS SERVICES, FOR INDIVIDUALS AGED TWENTY-ONE AND OLDER WITH NEURODEVELOPMENTAL DISORDERS, INCLUDING AUTISM SPECTRUM DISORDER,"

beg leave to report as follows:

The purpose and intent of this measure is to request the Department of Health and Department of Human Services to jointly develop and adopt all rules, policies, and plan amendments necessary to ensure that the State Medicaid program covers medically-needed services, including applied behavior analysis services, for individuals aged twenty-one and older with neurodevelopmental disorders, including autism spectrum disorder.

Your Committees received testimony in support of this measure from Autism Speaks Inc. Your Committees received comments on this measure from the Department of Health and Department of Human Services.

Your Committees find that neurodevelopmental disorders are disabilities associated primarily with the functioning of the



neurological system and brain. Your Committees further find that treatments for individuals with developmental disabilities, such as applied behavior analysis, can improve their physical and mental development. Medicaid covers treatments for individuals with neurodevelopmental disorders for persons under the age of twenty-one; however, there are reports of individuals with autism spectrum disorder and other neurodevelopmental disorders who are aged twenty-one and older being denied Med-QUEST coverage for medically-needed autism services, including applied behavior analysis services. Therefore, this measure requests the Department of Health and Department of Human Services to develop all rules, policies, and amendments necessary to ensure that Medicaid covers treatment for neurodevelopmental disorders for persons aged twenty-one and older.

Your Committees acknowledge the testimony of the Department of Health, which noted that research regarding applied behavior analysis for persons with developmental disabilities aged twenty-one and older be reviewed before rules, policies, and amendments are promulgated.

Therefore, your Committees have amended this measure by:

- (1) Requesting the Department of Health and Department of Human Services to review any research regarding applied behavior analysis for persons with developmental disabilities aged twenty-one and older; and
- (2) Amending its title accordingly.

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 concur with the intent and purpose of S.R. No. 114, as amended herein, and recommend its adoption in the form attached hereto as S.R. No. 114, S.D. 1.



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 Health
 HTH**

Bill / Resolution No.:* SR 114	Committee Referral: HTH/HMS	Date: 03 - 22 - 22		
<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
KEOHOKALOLE, Jarrett (C)	✓			
BAKER, Rosalyn H. (VC)				✓
MORIWAKI, Sharon Y.				✓
SAN BUENAVENTURA, Joy A.	✓			
FEVELLA, Kurt	✓			
TOTAL	3	0	0	2
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 Human Services
HMS

Bill / Resolution No.:* SR 114	Committee Referral: HTH / HMS	Date: 3/22/2022		
<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	5	0	0	0
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