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LEGISLATIVE REFERENCE BUREAU
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Written Comments

HCR23/HR21 REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO CONDUCT A STUDY ANALYZING THE USE AND EFFECTIVENESS OF MOBILE APPLICATIONS OR OTHER SIMILAR MEANS TO DELIVER GOVERNMENT ASSISTANCE

Testimony by the Legislative Reference Bureau
Charlotte A. Carter-Yamauchi, Director

Presented to the House Committee on Health, Human Services, & Homelessness

Tuesday, March 29, 2022, 10:00 a.m.
Conference Room 329 & Videoconference

Chair Yamane and Members of the Committee:

Good morning Chair Yamane and members of the Committee, my name is Charlotte Carter-Yamauchi and I am the Director of the Legislative Reference Bureau. Thank you for providing the opportunity to submit written comments on H.C.R. No. 23/H.R. No. 21, Requesting the Legislative Reference Bureau to Conduct a Study Analyzing the Use and Effectiveness of Mobile Applications or Other Similar Means to Deliver Government Assistance.

The purpose of this measure is to request that the Legislative Reference Bureau conduct a study to analyze the use and effectiveness of mobile applications or similar means to deliver government assistance. As part of the study, the measure requests that the Bureau include:

- (1) An analysis of the effectiveness of existing delivery of government assistance program benefits;
- (2) A description of the existing use of mobile applications or similar technology in the State to provide government assistance;

- (3) Identification of any strengths, weaknesses, advantages, and disadvantages with the delivery of government assistance through mobile applications or similar technology in the State;
- (4) An assessment of other states' use of mobile applications or similar technology to provide state or federal government assistance in their respective states; and
- (5) A review of the reports submitted pursuant to section 5 of Executive Order 13985 to the Assistant to the President for Domestic Policy, reflecting findings of the equity assessment in federal agencies.

The measure also requests that the Legislative Reference Bureau submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2023.

The Bureau takes no position on this measure but submits the following comments for your consideration.

As a general matter, the Bureau notes that it does not possess any specific expertise in the field of government assistance or the provision of services and benefits thereof, or any familiarity or expertise in the development, implementation, and security of mobile applications and similar technology. Consequently, if tasked with completing such a broad ranging study on this specialized subject matter within the timeframe provided, the Bureau would most likely need to contract the services of an entity with expertise in such matters in order to produce any research product that would be of any probative value to the Legislature. Unfortunately, the Bureau's operating budget does not contain any excess funds to contract these services, nor does it have an exemption from the State Procurement Code to expedite the contracting of services so that the study could possibly be completed prior to the commencement of the 2023 Regular Session.

Furthermore, even if funding was made available and a Procurement Code exemption was provided to expeditiously procure the services of a suitable contractor, the parameters of the study would still need to be more narrowly focused in order to obtain the requested information in the time allotted. For example, the study requests that the Bureau include "[a]n analysis of the effectiveness of existing delivery of government assistance program benefits." However, the measure does not provide any parameters by which the Bureau is to determine the "effectiveness" of existing delivery of government assistance program benefits (i.e., is effectiveness measured by equitable statewide distribution of monetary and other resources, relieving poverty rates, etc.).

In addition, the measure requests that the Bureau identify any strengths, weaknesses, advantages, and disadvantages with the delivery of government assistance through mobile applications or similar technology in the State. It would seem that such a task would require an inherent knowledge of and expertise in not only the myriad government assistance programs that may be available to potential recipients, but also knowledge of and expertise in mobile applications and computer programming technology and security. The Bureau does not possess any of these capabilities.

The measure also asks for "[a] review of the reports submitted pursuant to section 5 of Executive Order 13985 to the Assistant to the President for Domestic Policy, reflecting findings of the equity assessment in federal agencies," but gives no reasoning or justification for the review, or what the Bureau is supposed to be looking for when conducting the review.

If the Committee is interested in obtaining the information that is presumably being sought in the measure in a more expeditious timeframe than the Bureau would be able to provide, it may consider requesting the executive agencies that directly provide such government services to self-report on their benefit delivery mechanisms and other information requested, have these agencies work with the Office of Enterprise Technology Services on formulating a prospectus on digitizing their government benefit delivery services, and submitting the information to the Legislature for its consideration. However, regardless of which strategy the Committee decides on taking, the Bureau still believes that the parameters of the study need to be more narrowly focused to allow for any worthwhile response.

The Bureau believes that unless it is provided with adequate funding and either an exemption from the State Procurement Code or additional time to procure the services of a suitable contractor and complete the study, and the parameters of the study are more narrowly focused, the Bureau will be unable to provide the services requested under this measure.

Thank you again for the opportunity to submit written comments.