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March 30, 2022

TO: The Honorable Representative Sylvia Luke, Chair
House Committee on Finance

FROM: Cathy Betts, Director

SUBJECT: **SB 3106 SD2 HD1 – RELATING TO EXEMPTIONS FROM CIVIL SERVICE FOR POSITIONS IN THE DEPARTMENT OF HUMAN SERVICES.**

Hearing: April 1, 2022, 3:00 p.m.
Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this administration measure. The Department requests an amendment to effectuate the effective date to June 29, 2022, to maintain currently filled positions.

PURPOSE: The purpose of the bill is to permanently exempts certain positions in the department of human services from civil service. Effective 7/1/2060. (HD1) The SD1 amended defected the effective date and made technical amendments. The SD2 made additional technical amendments. The HD1 further defected the effective date and made more technical amendments.

The Department seeks permanent exemptions from civil service of seven positions currently in the Director's Office and one position in the Social Services Division. Currently, these positions exist as temporarily exempt positions or were created through special projects.

Before the 2020 COVID-19 pandemic, DHS served nearly one in four Hawaii residents. Now, DHS serves nearly one in three Hawaii residents. During the pandemic, DHS quickly transitioned to a telework environment, requested and implemented multiple programmatic

waivers, developed innovative strategies, and deployed new capacities to maintain access to benefits and services while adhering to COVID-19 health and safety protocols.

The successful and significant pivot to a telework environment relied upon solid and knowledgeable leadership and the ongoing work and investment to modernize DHS's information technology (IT) infrastructure, strategic planning, and organizational change management to support the workforce and improve DHS's business processes. These strategies allowed DHS to maintain and expand access to benefits and services to significantly more residents since the pandemic started in March 2020. Additionally, successful leadership of the Department was and is reliant on staff in critical positions who have a fundamental understanding and knowledge of the department's processes and procedures.

To maintain the high quality of service, DHS needs to be competitive to attract and retain qualified, experienced, and knowledgeable IT staff who are permanently exempt from civil service. These positions are needed to support and complete the array of IT modernization and system integration projects, many of which leverage available federal funds, maintain system security, compliance, and necessary maintenance, and meet the additional supports needed by a distributed telework workforce.

DHS previously and currently relies upon contracted project-based IT professionals to lead many IT-related projects. However, this strategy is not efficient or sustainable to support the necessary and lengthy project design, procurement, and multi-step approval processes, development, and implementation of new systems while maintaining the existing systems.

The information technology implementation manager serves as a project manager and provides leadership, coordination, and support to the Department's IT modernization efforts. This position coordinates and collaborates with consultants, contractors, DHS technical and business leads, and project managers of critical projects that include Med-QUEST Division's KOLEA integrated eligibility and integrated health and human services technical platform, the Benefit, Employment and Support Services Division's Benefit Eligibility Solution (BES), and the Social Services Division's Comprehensive Child Welfare and Adult Services Modernization and Legacy Replacement Project.

The position requires extensive knowledge of procurement, fiscal resources, program management, cross-project management, and coordination involving multiple technologies and functions; project management methodologies and practices; knowledge of information systems' principles, methodologies, and assumptions; and principles and practices of supervision, budgeting, planning, and human and organizational behavior. Knowledge of the public sector or human services business domain is preferred.

The assistant information technology implementation manager serves as an assistant project manager who coordinates and supports the DHS IT modernization project. This position assists in developing the overall schedules and work plans focusing on the integration and coordination of key projects to maximize efficiencies, ensure synergies, minimize risks, and prevent barriers to any single project and the overall project.

The resource manager provides technical assistance and oversight of the DHS IT resources assigned to the various IT modernization and other IT-related initiatives. This position works with department divisions and staff office personnel, consultants, and contractors to implement solutions that allow the integration of multiple platforms, operating systems, and applications across DHS and the State. Importantly, the resource manager coordinates federal and state funding for the IT projects and identifies the best approach to maximize federal funding from various sources. This position requires a bachelor's or master's degree in computer science, information systems, accounting, finance, or other related fields.

In the Director's Office, DHS also requests the following positions that are currently temporarily exempt from civil service per Act 81, Session Laws of Hawaii (SLH) 2019, become permanently exempt from civil service: the community/project development director; policy director; and the special assistant to the director. Additionally, DHS requests that the limited English proficiency project manager/coordinator, established through a special project, become permanently exempt from civil service.

These positions are necessary to lead and manage DHS programs effectively. These positions are instrumental to improving access to and the quality of services, improving working conditions at DHS to recruit and retain the workforce, improving and standardizing procurement and other administrative processes, responding to legislative changes,

establishing and maintaining clear communication, and facilitating collaborative relationships with recipients, policymakers, other departments and branches of government, and community partners and members.

In Act 79, SLH 2016, the Legislature established temporary exempt positions of the community/project development director and the policy director. The temporary exemptions were extended an additional three years per Act 81, SLH 2019, and will expire on June 30, 2022. Therefore, DHS requests the effective date of the measure on or before June 29, 2022.

The community/project development director and the policy director have leadership roles in promoting cross-agency and cross-sector initiatives, co-enrollment, reviewing, pursuing, and overseeing grant opportunities that improve the human services delivery system.

The community/project development director is tasked with embedding and operationalizing 'Ohana Nui, the department's multigenerational approach to end intergenerational poverty. The community/project development director leads the internal organizational change management required for DHS to transform to an integrated service delivery model that incorporates client and provider experiences. Additionally, the community/project development director collaborates with other government agencies, external community members, and service providers to work with DHS to co-create solutions and positively influence community-wide changes that support multigenerational success and reduce conditions of poverty in general.

Also, the community/project development director promotes initiatives of national partners and other state departments to access and ensure the delivery of human services. The community/project development director connects public assistance programs to stakeholders, liaises at the national, state, and local branches of government, and cultivates and maintains responsive relationships to improve the human services delivery system. See this recent publication by the National Governor's Association, "[Lessons Learned In Workforce Innovation: How Ten Governors Are Redesigning Workforce Systems For Better Employment Outcomes](https://www.nga.org/center/publications/lessons-learned-in-workforce-innovation/),"¹

¹ <https://www.nga.org/center/publications/lessons-learned-in-workforce-innovation/>

as one example of the community/project development director's contributions to improving access to human services for residents seeking employment.

The policy director reviews and identifies federal and state policy, legislation, and strategies impacting the programs to improve service delivery and positive outcomes. The policy director assists the director and program administrators in the department's effort to identify key program changes that will remove system barriers and incorporate a multigenerational 'Ohana Nui service delivery approach. Until the IT professionals described above are hired, the policy director facilitates internal and external data governance and data sharing processes and drafts data-sharing agreements. For example, during the pandemic, the Policy Director facilitated a data-sharing agreement with the Office of Hawaiian Affairs to examine the impacts of the COVID-19 and the native Hawaiian community. Additionally, the Policy Director leads two initiatives regarding Supplemental Nutrition Assistance Program (SNAP) benefits: No Kid Hungry – a grant-funded project through the American Public Human Services Association, and the SNAP Longitudinal Data Project - a four-year project funded by the U.S. Food & Nutrition Service. The No Kid Hungry Project partners with the Department of Health's Women and Infant & Children (WIC) Program and the University of Hawaii Center on Children's Healthy Living Program (UH CHL) to increase co-enrollment in WIC and SNAP. The SNAP Longitudinal Data Project partners with the Census Bureau and UH CHL to better understand how residents utilize SNAP benefits and make recommendations to improve the SNAP program to be better suited to Hawaii's multicultural, multigenerational families.

The special assistant to the director of DHS is tasked with addressing internal policy and improving ongoing operations. As the department experiences retirement of many dedicated DHS workers who leave with decades of experience and system know-how, maintaining and improving continuity of practice and facilitating knowledge transfer are primary tasks of the special assistant. Developing and coordinating departmental administrative rules drafting and procurement processes are vital to improving departmental efficiencies and transparency. The special assistant works with program administrators and staff officers to simplify business processes and workflows so that these processes become more repeatable routines and

transparent to staff and the public. Notably, the special assistant acts as litigation coordinator, tracks pertinent legal cases, reviews case law, and performs legal and legislative research.

Additionally, the community/project development director, the policy director, and special assistant represent the director and the department in statutory and other workgroups and task forces and on national calls with human services affinity groups and federal partners.

The limited English proficiency (LEP) project manager/coordinator oversees, develops, coordinates, and advises the entire department on language access services related to meaningful access to services and programs for individuals with LEP. State and federal laws require DHS and other government entities to maintain language access services for Hawaii's culturally diverse population regarding all public benefits and services. All entities receiving federal funds are subject to provisions of Title VI of the Civil Rights Act of 1964, 42 USC 2000d, et seq. (Title VI), that prohibits discrimination based on race, color, or national origin in any program or activity receiving federal financial assistance and must provide meaningful access to services.

This position requires knowledge of the needs of both oral and written communication of Hawaii's diverse LEP client population, federal and state laws and regulations, public administration policies and principles, utilization of information systems and related technologies, and effective communication and presentation techniques.

Lastly, the Social Services Division has oversight over the Adult Protective Services Branch and the Child Welfare Services Branch. The business technology analyst is responsible for developing and implementing the IT modernization project to facilitate the work of the Child Welfare Services Branch in the Social Services Division. The Child Welfare Services Branch IT project is the third phase of the ongoing DHS IT modernization work. It will provide a system of record to promote a family- and client-centered model of practice and to access data more efficiently. After the system is built and implemented, this position will continue to maintain and monitor the system to ensure it operates properly. The position requires a bachelor's degree in computer science, management information systems, engineering, mathematics, business administration, or a related field, with knowledge and five years of professional work experience demonstrating information technology experience.

Passage of this measure will support the effective and efficient administration of DHS and its programs, resulting in the more effective use of taxpayer dollars. In addition, improvements to IT systems and internal business processes will assist DHS to recruit, maintain, and develop the State's human services workforce. Better systems and a workforce with modern technology will provide improved service to Hawaii's residents.

With these exempt positions, the department will be better able to attract and retain experienced professionals, effectively administer departmental programs, and provide the critically needed leadership to coordinate efforts with partner agencies and the community.

Appropriations for four of these positions are included in the department's current base budget. A general fund appropriation for \$224,908 for the following positions will be requested through the executive budget as follows: the information technology implementation manager (0.65 FTE/\$85,515 A), the assistant information technology implementation manager (0.65 FTE/\$59,639 A), and the resource manager (0.65 FTE/\$79,755 A).

Also included in the executive budget is a federal fund match request for \$120,027 as follows: the information technology implementation manager (0.35 FTE/\$44,969 N), the assistant information technology implementation manager (0.35 FTE/\$32,113 N), and the resource manager (0.35 FTE/\$42,945 N).

Thank you for the opportunity to provide comments on this measure.



TO: Chair Luke, Vice Chair Yamashita, and Members of the House Committee on Finance

FROM: Ryan Kusumoto, President & CEO of Parents And Children Together (PACT)

DATE/LOCATION: April 1, 2022; 3:00 p.m., Conference Room 308/Videoconference

RE: TESTIMONY IN SUPPORT OF SB 3106 SD 2 HD 1– RELATING TO EXEMPTIONS FROM CIVIL SERVICE FOR POSITIONS IN THE DEPARTMENT OF HUMANS SERVICES

We ask you to support SB 3106 which permanently exempts eight positions in the Department of Human Services from civil service.

Poverty across the globe has reached epidemic proportions -- exacerbated by the pandemic. In Hawaii, it is no different and, in some cases, even worse. As one of Hawaii's social service providers, serving over 17,000 clients annually, we have a vested interest in helping Hawaii's residents to break the cycles of intergenerational poverty. It behooves us to support DHS in their mission to continue their Ohana Nui efforts which focuses on reducing the time children, families, and individuals spend in poverty and supporting every person's ability to meet their human and economic potential. Some of these exempted positions are critical to the Ohana Nui effort. As community partners, we appreciate having a consistent department-level point of contact and representation from DHS collaboratively involved in community efforts. Keeping these positions exempt ensures critical cross-sector, solution-focused, open-door collaboration.

Founded in 1968, Parents And Children Together (PACT) is one of Hawaii's not-for-profit organizations providing a wide array of innovative and educational social services to families in need. Assisting more than 17,000 people across the state annually, PACT helps families identify, address and successfully resolve challenges through its 20 programs. Among its services are: early education programs, domestic violence prevention and intervention programs, child abuse prevention and intervention programs, childhood sexual abuse supportive group services, child and adolescent behavioral health programs, sex trafficking intervention, poverty prevention and community building programs.

Thank you for the opportunity to testify in **support of SB 3106**, please contact me at (808) 847-3285 or rkusumoto@pacthawaii.org if you have any questions.



HAWAII GOVERNMENT EMPLOYEES ASSOCIATION
AFSCME Local 152, AFL-CIO

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The Thirty-First Legislature, State of Hawaii
House of Representatives
Committee on Finance

Testimony by
Hawaii Government Employees Association

April 1, 2022

S.B. 3106, SD2, HD1 (HSCR 1282-22) – RELATING TO THE
DEPARTMENT OF HUMAN SERVICES

The Hawaii Government Employees Association, AFSCME Local 152, AFL-CIO has strong concerns with the purpose, intent, and scope of S.B. 3106 which permanently exempts certain positions from civil service from Chapter 76 of the Hawaii Revised Statutes.

As drafted, S.B. 3106 would permanently exempt from provisions of the civil services: the information technology implementation manager, the assistant information technology implementation manager, the resource manager, the community/project development director, the policy director, the special assistant to the director, the limited English proficiency project manager/coordinator, and the business technology analyst.

These positions should not be exempt from civil service as they do not meet the criteria of Chapter 76-16 Hawaii Revised Statutes, Civil Service and Exemptions statute. Further, Chapter 76-16 Hawaii Revised Statutes should not be amended as proposed. No specifications have been offered that support the permanent exemption being sought. These classifications are typical positions that are covered under the Civil Service Law as included positions and represented by HGEA.

Thank you for the opportunity to provide testimony in opposition of S.B. 3106.

Respectfully submitted,

Randy Perreira
Executive Director

SB-3106-HD-1

Submitted on: 3/28/2022 8:48:58 PM

Testimony for FIN on 4/1/2022 3:00:00 PM

Submitted By	Organization	Testifier Position	Testify
Gerard Silva	Individual	Oppose	Written Testimony Only

Comments:

Every one should be treated the same no matter what department you are in !!