

JOSH GREEN, M.D.  
GOVERNOR  
KE KIA'ĀINA



GOV. MSG. NO. 1143

EXECUTIVE CHAMBERS  
KE KE'ENA O KE KIA'ĀINA

May 14, 2025

The Honorable Ronald D. Kouchi  
President of the Senate,  
and Members of the Senate  
Thirty-Third State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Nadine Nakamura  
Speaker, and Members of the  
House of Representatives  
Thirty-Third State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Aloha President Kouchi, Speaker Nakamura, and Members of the Legislature:

This is to inform you that on May 14, 2025, the following bill was signed into law:

H.B. NO. 1099, H.D. 1,  
S.D. 1, C.D. 1

MAKING AN EMERGENCY APPROPRIATION TO THE  
DEPARTMENT OF HUMAN SERVICES.  
**ACT 043**

Mahalo,

A handwritten signature in black ink that reads "Josh Green M.D." in a cursive style.

Josh Green, M.D.  
Governor, State of Hawai'i

on MAY 14 2025

HOUSE OF REPRESENTATIVES  
THIRTY-THIRD LEGISLATURE, 2025  
STATE OF HAWAII

**ACT 043**  
**H.B. NO.** 1099  
H.D. 1  
S.D. 1  
C.D. 1

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# A BILL FOR AN ACT

MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HUMAN SERVICES.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1       SECTION 1. This Act is recommended by the governor for  
2 immediate passage in accordance with section 9 of article VII of  
3 the Constitution of the State of Hawaii.

4       SECTION 2. The legislature finds that the department of  
5 human services administers the supplemental nutrition assistance  
6 program for eligible households that meet income and other  
7 program requirements. The legislature further finds that during  
8 the coronavirus disease 2019 pandemic (COVID-19), the department  
9 of human services requested and received approval from the  
10 federal government to waive numerous requirements related to the  
11 processing of supplemental nutrition assistance program  
12 benefits. These waivers allowed the department to quickly  
13 respond to an increased demand for benefits while maintaining a  
14 safe working environment for staff and the public.

15       Following the end of the COVID-19 pandemic, the United  
16 States Department of Agriculture Food and Nutrition Service



1 required states to end waivers and resume normal benefits  
2 processing requirements. From approximately October 2021  
3 through September 2023, Hawaii and other states experienced  
4 increased payment error rates in processing supplemental  
5 nutrition assistance benefits. The increased error rates were  
6 related to the changes in requirements during and following the  
7 COVID-19 pandemic, as well as the high vacancy and turnover  
8 rates for eligibility worker staff.

9 In June 2024, the United States Department of Agriculture  
10 Food and Nutrition Service assessed the department of human  
11 services a penalty of \$10,934,327 for having a supplemental  
12 nutrition assistance program payment error rate above the  
13 national average for two consecutive federal fiscal years.  
14 However, in lieu of paying the total penalty, the United States  
15 Department of Agriculture Food and Nutrition Service provided  
16 the option to the State to reinvest fifty per cent of the  
17 penalty amount in program improvements that would reduce the  
18 payment error rate.

19 The legislature further finds that the State is pursuing  
20 the reinvestment option to resolve the penalty. The department  
21 of human services plans to reinvest fifty per cent of the



1 assessed penalty to complete the development of a new  
2 eligibility system, which is anticipated to be completed in late  
3 2025. Notably, under the terms of the reinvestment option, if  
4 the reinvestment results in the payment error rate falling under  
5 and remaining below the national average, which is currently  
6 11.68 per cent, the State will not be required to pay the  
7 remaining fifty per cent of the penalty.

8 Failure to reinvest fifty per cent of the penalty amount  
9 will result in the total penalty amount needing to be paid.  
10 Additionally, failure to improve error rates may result in  
11 increased financial penalties for the State.

12 Funding for this reinvestment option is required in fiscal  
13 year 2024-2025 to make necessary modifications to the ongoing  
14 development of the department of human services' new eligibility  
15 system to specifically support automation of eligibility worker  
16 tasks that will increase efficiency and reduce worker errors.  
17 Reinvestment funding is also required this fiscal year to avoid  
18 project delays and ensure that the new system includes the  
19 technical capabilities required to reduce the payment error  
20 rate.



1       The purpose of this Act is to make an emergency  
2       appropriation of \$5,467,164 for fiscal year 2024-2025, which is  
3       fifty per cent of the payment error penalty assessed by the  
4       United States Department of Agriculture Food and Nutrition  
5       Service, to the department of human services to support the  
6       necessary modifications to the ongoing development of a new  
7       eligibility system.

8       SECTION 3. There is appropriated out of the general  
9       revenues of the State of Hawaii the sum of \$5,467,164 or so much  
10      thereof as may be necessary for fiscal year 2024-2025 to be used  
11      to reinvest in the ongoing development of a new eligibility  
12      system that will result in reduced payment error rates.

13      The sum appropriated shall be expended by the department of  
14      human services for the purpose of this Act.

15      SECTION 4. In accordance with section 9 of article VII of  
16      the Constitution of the State of Hawaii and sections 37-91 and  
17      37-93, Hawaii Revised Statutes, the legislature has determined  
18      that at the beginning of the regular session of 2025, the  
19      general fund expenditure ceiling for fiscal year 2024-2025 was  
20      exceeded by \$8,551,795, or one per cent. The appropriations  
21      contained in Act 1, Session Laws of Hawaii 2025, caused the



1 general fund expenditure ceiling for fiscal year 2024-2025 to be  
2 further exceeded by an additional \$30,334,159. Therefore, the  
3 general fund expenditure ceiling for fiscal year 2024-2025 has  
4 already been exceeded by \$38,885,954, or one per cent.

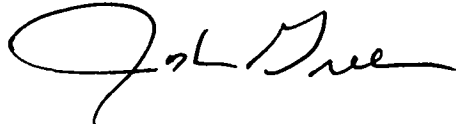
5 The appropriation contained in this Act will cause the  
6 general fund expenditure ceiling for fiscal year 2024-2025 to be  
7 further exceeded by \$5,467,164, or one per cent. This  
8 declaration takes into account the additional general fund  
9 appropriation authorized for fiscal year 2024-2025 in this Act  
10 only. The reasons for exceeding the general fund expenditure  
11 ceiling are that the appropriation made in this Act is necessary  
12 to serve the public interest and to meet the needs addressed by  
13 this Act.

14 SECTION 5. This Act shall take effect upon its approval.



H.B. NO. 1099  
H.D. 1  
S.D. 1  
C.D. 1

APPROVED this 14th day of May, 2025

A handwritten signature in black ink, appearing to read "Josh Green". The signature is fluid and cursive, with a large initial "J" and a long horizontal stroke extending to the right.

GOVERNOR OF THE STATE OF HAWAII

HB No. 1099, HD 1, SD 1, CD 1

THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: April 30, 2025  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Thirty-Third Legislature of the State of Hawaii, Regular Session of 2025.



Nadine K. Nakamura  
Speaker  
House of Representatives




Brian L. Takeshita  
Chief Clerk  
House of Representatives




**THE SENATE OF THE STATE OF HAWAI‘I**

Date: April 30, 2025  
Honolulu, Hawai‘i 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the Senate  
of the Thirty-Third Legislature of the State of Hawai‘i, Regular Session of 2025.

  
President of the Senate

  
Clerk of the Senate