

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



RYAN I. YAMANE  
DIRECTOR  
KA LUNA HO'OKELE

JOSEPH CAMPOS II  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

STATE OF HAWAII  
KA MOKU'ĀINA O HAWAI'I  
**DEPARTMENT OF HUMAN SERVICES**  
KA 'OIHANA MĀLAMA LAWELawe KANAKA  
Office of the Director  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

TRISTA SPEER  
DEPUTY DIRECTOR  
KA HOPE LUNA HO'OKELE

March 11, 2025

TO: The Honorable Senator San Buenaventura, Chair  
Senate Committee on Health and Human Services

FROM: Ryan I. Yamane, Director

SUBJECT: **HB 320 HD2 – RELATING TO SUPPORTIVE DECISION-MAKING AGREEMENTS.**

Hearing: Wednesday, March 12, 2025, Time 1:10 p.m.  
Conference Room 225 & Via Videoconference, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this measure and defers to the Department of the Attorney General regarding any additional amendments. Further, to paraphrase comments of the Committee on Judiciary and Hawaiian Affairs, DHS appreciates that the bill's approach promotes greater autonomy, dignity, and self-determination, while also minimizing the need for more restrictive measures which can undermine an individual's rights and freedoms.

**PURPOSE:** This bill allows qualified adults, including adults with a disability, mentally ill adults, and adults sixty-five years of age or older, to enter into supported decision-making agreements with one or more members of a supportive community. Specifies the terms of a supported decision-making agreement, including access to personal information, agreement requirements, and circumstances for termination. Effective 7/1/3000. (HD2)

The Committee on Human Services and Homelessness amended the measure by:

(1) Defining "personal information";

- (2) Disqualifying certain persons from entering into a supported decision-making agreement as a member of a supportive community;
- (3) Requiring express written consent from the qualified adult for certain medical information and education records protected under federal privacy laws;
- (4) Clarifying the types of information a member of the supportive community must keep confidential after assisting a qualified adult to access, collect, or obtain the information;
- (5) Clarifying the minimum requirements of a supported decision-making agreement;
- (6) Clarifying provisions related to the automatic termination of a supported decision-making agreement;
- (7) Specifying that a supported decision-making agreement, or the execution of a supported decision-making agreement, shall not be used as evidence of incapacity or incompetency of a qualified adult and shall not preclude an adult with a functional impairment from acting independently of the agreement;
- (8) Changing the effective date to July 1, 3000, to encourage further discussion; and
- (9) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

The Committee on Judiciary and Hawaiian Affairs further amended this measure by:

- (1) Clarifying the definition of "vulnerable adult" as used in the supported decision-making agreements chapter;
- (2) Prohibiting a qualified adult from entering into a supported decision-making agreement with a member of the supportive community who has been confirmed as the perpetrator of abuse of the qualified adult, any other qualified adult, or any vulnerable adult;
- (3) Requiring a supported decision-making agreement to be automatically terminated if the member of the supportive community who entered into the decision-making agreement provides paid support services to the qualified adult; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

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



STATE OF HAWAII  
KA MOKU'ĀINA O HAWAII  
STATE COUNCIL ON DEVELOPMENTAL DISABILITIES  
'A'UNIKE MOKU'ĀPUNI NO KA NĀ KĀWAI KULA

PRINCESS VICTORIA KAMĀMALU BUILDING  
1010 RICHARDS STREET, Room 122  
HONOLULU, HAWAII 96813  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543

March 12, 2025

The Honorable Senator Joy A. San Buenaventura, Chair  
Senate Committee on Health and Human Services  
The Thirty-Third Legislature  
State Capitol  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Senator San Buenaventura, and Committee Members:

SUBJECT: HB320 HD2 RELATING TO SUPPORTED DECISION-MAKING AGREEMENTS

The Hawaii State Council on Developmental Disabilities **STRONGLY SUPPORTS HB320 HD2**, which allows qualified adults, including adults with a disability, mentally ill adults, and adults sixty-five years of age or older, to enter into supported decision-making agreements with one or more members of a supportive community. Specifies the terms of a supported decision-making agreement, including access to personal information, agreement requirements, and circumstances for termination.

This critical legislation affirms the autonomy, dignity, and self-determination of individuals with disabilities who may require support in decision-making but do not need restrictive guardianship or conservatorship. For far too long, individuals with Intellectual and Developmental Disabilities (I/DD) and other disabilities have had limited options for decision-making support, often being placed under restrictive guardianship arrangements that unnecessarily strip away their basic rights and dignity. Guardianship often deprives individuals of the ability to make key life decisions, ranging from medical choices to financial matters and personal relationships. This system undermines their independence and fosters exclusion rather than empowerment.

The Council remains committed to collaborating with all stakeholders to develop the strongest possible measure while ensuring the inclusion of appropriate safeguards. Productive discussions on these safeguards have taken place, and we urge the legislator to advance this measure. While the Council acknowledges concerns regarding the exclusion of individuals who "provide paid support services to the qualified adult" from serving as supported decision-makers, we have heard from advocates how important their choice is; to choose their workers and decision maker, we respectfully request you remove line 11 on page 5 line 11

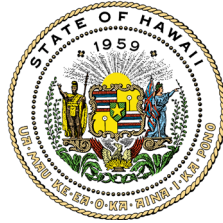
Thank you for the opportunity to submit testimony in **strong support of HB320 HD2**.

Sincerely,

Daintry Bartoldus  
Executive Administrator

**JOSH GREEN, M.D.**  
GOVERNOR OF HAWAII  
KE KIA'ĀINA O KA MOKU'ĀINA 'O HAWAII

**KENNETH FINK, MD, MGA, MPH**  
DIRECTOR OF HEALTH  
KA LUNA HO'OKELE



**STATE OF HAWAII  
DEPARTMENT OF HEALTH  
KA 'OIHANA OLAKINO  
EXECUTIVE OFFICE ON AGING**  
NO. 1 CAPITOL DISTRICT  
250 SOUTH HOTEL STREET, SUITE 406  
HONOLULU, HAWAII 96813-2831

**CAROLINE CADIRAO**  
DIRECTOR  
Executive Office on Aging

Telephone  
(808) 586-0100

Fax  
(808) 586-0185

**Testimony in SUPPORT of HB320 HD2  
RELATING TO SUPPORTED DECISIONMAKING**

COMMITTEE ON HEALTH & HUMAN SERVICES  
SENATOR JOY A. SAN BUENAVENTURA, CHAIR  
SENATOR HENRY J.C. AQUINO, VICE CHAIR

Testimony of Caroline Cadirao  
Director, Executive Office on Aging  
Attached Agency to the Department of Health

Hearing: Wednesday, March 12, 2025, 1:10 P.M., Conference Room 225

1 **EOA Position:** The Executive Office on Aging (EOA), an attached agency to the Department of  
2 Health (DOH) supports the intent of HB320 HD2.

3 **Fiscal Implications:** None

4 **Purpose and Justification:** This measure formally recognizes and defines “supported decision-  
5 making agreements” under the Hawaii Revised Statutes. Supported decision-making (SDM)  
6 offers a way for older adults and individuals with disabilities to maintain their rights, dignity, and  
7 independence by making decisions about their own lives with help from people that they trust  
8 and choose. SDM is a person-centered approach based on the wants and needs of the individual.

9 Too many people are unnecessarily placed under restrictive guardianships when they  
10 could make their own decisions with individualized assistance from people they trust.  
11 Additionally, when an individual obtains a guardian, it can be difficult to change their status. If

1 passed, the bill would establish a legal framework for decision-making in the state and would  
2 encourage courts to consider SDM before establishing guardianship. SDM agreements would  
3 save time and money in probate courts by reducing the number of guardianship petitions for  
4 people who do not need them. However, SDM does not replace guardianship for those who need  
5 it. It is an additional and less restrictive option.

6 Several States have piloted SDM models and have had success in bringing families  
7 together and improving lives. EOA hopes that Hawai'i legislators take this opportunity to  
8 provide a pathway where the decisions and choices of older adults and individuals with  
9 disabilities are honored.

10 **Recommendation:** EOA supports the intent of the measure.

11 Thank you for the opportunity to testify.



**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
PRINCESS VICTORIA KAMĀMALU BUILDING  
1010 RICHARDS STREET, Room 122  
HONOLULU, HAWAII 96813  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543

March 12, 2025

The Honorable Senator Joy San Buenaventura, Chair  
Senate Committee on Health and Human Services  
The Thirty-Third Legislature  
State Capitol  
State of Hawai'i  
Honolulu, Hawai'i 96813

Dear Senator San Buenaventura, and Committee Members:

**SUBJECT: HB320 HD2 Relating to Supported Decision-Making Agreements**

The Hawaii State Council on Developmental Disabilities, on behalf of the Guardianship Conservatorship Working Group **Offering Comments HB320 HD2**, which allows qualified adults, including adults with a disability, mentally ill adults, and adults sixty-five years of age or older, to enter into supported decision-making agreements with one or more members of a supportive community. Specifies the terms of a supported decision-making agreement, including access to personal information, agreement requirements, and circumstances for termination. Effective 7/1/3000. (HD2)

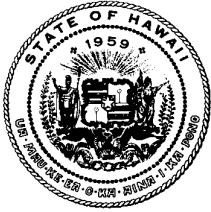
The Council is providing testimony as the facilitator of a working group created by Representative Tarnas in response to the 2023 Legislative Session's HB1440. Our group began by reviewing the UGCOPAA and its applicability to Hawai'i and shifted our focus to identifying current issues or gaps in our guardianship and conservatorship laws. Our group began meeting in July 2023, and our meetings are continually ongoing. The members of our group are below.

The working group comprises representatives from various key entities, including the Family court, the Hawaii Judiciary's Probate Committee, the Department of the Attorney General, the Department of Human Services- Adult Protective and Community Services Branch, the Uniform Law Commission, AARP Hawaii, the Caregiver Foundation, the Office of the Public Guardian, the Hawaii Disability Rights Center, Ombudsman John McDermott, Parents of Individuals with Developmental Disabilities, and the Richardson Law School's Elder Law Clinic.

Our working group has explored the benefits and impact of Supported Decision-Making (SDM) in Hawai'i. One significant challenge faced by our Guardianship and Conservatorship courts is the heavy caseload, leading to prolonged hearing times and associated difficulties. Implementing SDM in Hawai'i could help alleviate this burden by reducing the number of individuals requiring Guardianship or Conservatorship.

Thank you for the opportunity to submit testimony **offering comments of HB320 HD2**  
Sincerely,

Daintry Bartoldus  
Executive Administrator



## DISABILITY AND COMMUNICATION ACCESS BOARD

1010 Richards Street, Rm. 118 • Honolulu, Hawai'i 96813  
Ph. (808) 586-8121 (V) • Fax (808) 586-8129 • (808) 204-2466 (VP)

March 12, 2025

### TESTIMONY TO THE SENATE COMMITTEE ON HEALTH AND HUMAN SERVICES

#### House Bill 320 HD2– Relating to Supported Decision-Making Agreements

The Disability and Communication Access Board (DCAB) supports House Bill 320 HD2 – Relating to Supported Decision-Making Agreements. This bill would allow qualified adults, including adults with a disability, mentally ill adults, and adults sixty-five years of age or older, to enter into supported decision-making agreements with one or members of a supportive community. Specifies the terms of a supported decision-making agreement, including access to personal information and agreement requirements.

Supported decision-making agreements have been established in various other states and provide a meaningful alternative to guardianship. They provide individuals with the tools and support to make their own decisions without restrictive legal oversight. By establishing a clear legal framework, this bill ensures that people with disabilities can access services without the barriers that often come with guardianship.

We appreciate the protections that the changes made in HD1 provide for individuals entering supported decision-making agreements. These protections help ensure that individuals receive the support they need while maintaining their autonomy and decision-making rights.

House Bill 320 HD2 promotes self-determination and preserves individual rights. DCAB supports this measure to provide consistent, accessible options for those who need decision-making support.

Thank you for considering our position.

Respectfully submitted,

KIRBY L. SHAW  
Executive Director



**COUNTY COUNCIL**

Mel Rapozo, Chair  
KipuKai Kualii, Vice Chair  
Addison Bulosan  
Bernard P. Carvalho, Jr.  
Felicia Cowden  
Fern Holland  
Arryl Kaneshiro



**OFFICE OF THE COUNTY CLERK**

Jade K. Fountain-Tanigawa, County Clerk  
Lyndon M. Yoshioka, Deputy County Clerk

Telephone: (808) 241-4188  
Facsimile: (808) 241-6349  
Email: [cokcouncil@kauai.gov](mailto:cokcouncil@kauai.gov)

**Council Services Division**  
4396 Rice Street, Suite 209  
Lihu'e, Kaua'i, Hawaii 96766

March 10, 2025

**TESTIMONY OF ADDISON BULOSAN  
COUNCILMEMBER, KAUAI COUNTY COUNCIL  
ON  
HB 213, HD 1, RELATING TO LOAN REPAYMENT FOR HEALTHCARE  
PROFESSIONALS  
HB 320, HD 2, RELATING TO SUPPORTED DECISION-MAKING  
AGREEMENTS  
Senate Committee on Health and Human Services  
Wednesday, March 12, 2025  
1:10 p.m.  
Conference Room 225  
Via Videoconference**

Dear Chair San Buenaventura and Members of the Committee:

Thank you for this opportunity to provide testimony in SUPPORT of HB 213, HD 1, Relating to Loan Repayment for Healthcare Professionals and HB 320, HD 2, Relating to Supported Decision-Making Agreements. My testimony is submitted in my individual capacity as a member of the Kaua'i County Council.

I wholeheartedly support the intent of HB 213, HD 1 and HB 320, HD 2, which would greatly affect the Kaua'i community.

Thank you again for this opportunity to provide testimony in support of HB 213, HD 1 and HB 320, HD 2. Should you have any questions, please feel free to contact me or Council Services Staff at (808) 241-4188 or via email to [cokcouncil@kauai.gov](mailto:cokcouncil@kauai.gov).

Sincerely,

**ADDISON BULOSAN**  
Councilmember, Kaua'i County Council

AAO:ss

**HB-320-HD-2**

Submitted on: 3/7/2025 7:41:53 PM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By    | Organization                                   | Testifier Position | Testify   |
|-----------------|--|--------------------|-----------|
| Louis Erteschik | Testifying for Hawaii Disability Rights Center | Support            | In Person |

## Comments:

This is a high priority Bill for us and it mirrors a growing trend across the country. It affirms the autonomy, dignity, and self-determination of individuals with disabilities who may require support in decision-making but do not need restrictive guardianship or conservatorship. For far too long, individuals with Intellectual and Developmental Disabilities (I/DD) and other disabilities have had limited options for decision-making support, often being placed under restrictive guardianship arrangements that unnecessarily strip away their basic rights and dignity. Guardianship often deprives individuals of the ability to make key life decisions, ranging from medical choices to financial matters and personal relationships. This system undermines their independence and fosters exclusion rather than empowerment.

Supported Decision-Making (SDM) offers a meaningful alternative that respects individual rights while ensuring access to guidance and assistance when needed. Further, the current guardianship system encompasses so many individuals that we believe this will be a “win-win” situation for all as it will help the Court system “unburden” itself and free up resources.

**HB-320-HD-2**

Submitted on: 3/10/2025 3:06:08 PM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By | Organization                     | Testifier Position | Testify                |
|--------------|----------------------------------|--------------------|------------------------|
| Lei Fountain | Testifying for The Arc in Hawaii | Support            | Written Testimony Only |

Comments:

Aloha Chair Senator San Buenaventura, Vice Chair and Committee Members.

My name is Lei Fountain and I am the President/CEO of The Arc in Hawaii.

Thank you for this opportunity to provide testimony in Support of HB320 HD2.

HB320 HD2 will allow our residents and participants to be involved in making their own decisions, so they can live their lives more independently.

Mahalo for allowing me to provide testimony in support of HB320 HD2.

Aloha,

Lei Fountain on behalf of The Arc in Hawaii

**HB-320-HD-2**

Submitted on: 3/11/2025 9:04:32 AM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By  | Organization             | Testifier Position | Testify                |
|---------------|--------------------------|--------------------|------------------------|
| James Kilgore | Testifying for Full Life | Support            | Written Testimony Only |

Comments:

Dear Chair San Buenaventura, Vice Chair and Committee Members:

My name is Jim Kilgore, and I am the Executive Director of Full Life. We strongly support HB320 HD2 which recognizes supported decision making (SDM) agreements so that people with disabilities can make informed choices while maintaining independence and self-determination. This bill gives people options for support they need to make informed decisions and promotes an alternative to guardianship for people with intellectual and developmental disabilities.

Mahalo for the opportunity to provide testimony in strong support of HB320 HD2.

**HB-320-HD-2**

Submitted on: 3/11/2025 8:59:28 AM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By                             | Organization   | Testifier Position | Testify                   |
|--|--|--------------------|---------------------------|
| Hawaii Self Advocacy<br>Advisory Council | Testifying for Hawaii<br>Self-Advocacy Advisory<br>council | Support            | Written Testimony<br>Only |

Comments:

The Hawaii Self-Advocacy Advisory council is in full support HB320 HD2. People with disabilities who are able to make decisions with the help of trusted supported decision makers will be able to live a more empowered and independent life.



March 11, 2025

Hawai'i Senate Committee on Health and Human Services  
Senator Joy A. San Buenaventura, Chair  
Senator Henry J.C. Aquino, Vice Chair  
Senators Troy N. Hashimoto, Jarrett Keohokalole, and Kurt Fevella, Committee Members

**RE: HB 320 RELATING TO SUPPORTED DECISION-MAKING AGREEMENTS – SUPPORT**

Dear Chair San Buenaventura, Vice Chair Aquino, and Committee Members,

I am submitting this letter in support of HB 320 on behalf of Easterseals Hawaii. Easterseals Hawaii served 2,025 Hawaii community members with intellectual and developmental disabilities (I/DD) in 2024. Our purpose is to create a more equitable world where people with I/DD can choose their own path.

Many individuals with disabilities benefit from the support of their friends, family, and other community members when making vital decisions about topics such as medical, financial, and occupational choices. Such support and consultation help disabled individuals make informed and confident choices, just as they help nondisabled individuals. This bill would enhance independence and quality of life for individuals with I/DD by creating awareness about supported decision-making (SDM) agreements and enshrining them into law without requiring guardianship, thereby allowing SDM agreements to be accepted by institutions. It would also protect the disabled individual's agency by specifying that their supportive community may advise them but should not make decisions on their behalf. This achieves a balance that permits disabled individuals to receive assistance from trusted partners without relinquishing autonomy, thereby maximizing opportunities for people to choose their own path.

Easterseals Hawaii supports HB 320 and respectfully requests your "aye" vote.

Mahalo for the opportunity to submit this letter.

A handwritten signature in black ink, appearing to read "Rachel Liebert Lewis".

Rachel Liebert Lewis  
Director, Public Policy and Advocacy  
Easterseals Hawaii  
PublicPolicyAndAdvocacy@eshawaii.org



**S E A C**  
**Special Education Advisory Council**  
1010 Richards Street Honolulu, HI 96813  
Phone: 586-8126 Fax: 586-8129  
email: [spin@doh.hawaii.gov](mailto:spin@doh.hawaii.gov)  
March 12, 2025

**Special Education  
Advisory Council**

Ms. Martha Guinan, *Chair*  
Ms. Susan Wood, *Vice Chair*

Ms. Kathie Awaya  
Ms. Virginia Beringer  
Mr. Will Carlson  
Ms. Annette Cooper  
Mr. Mark Disher  
Ms. Nancy Gorman  
Ms. Mai Hall  
Ms. Melissa Johnson  
Ms. Tina King  
Ms. Dale Matsuura  
Ms. Cheryl Matthews  
Dr. Paul Meng  
Ms. Siena Molina  
Ms. Trish Moniz  
Mr. Chris Pelayo  
Ms. Kiele Pennington  
Ms. Kau'i Rezendes  
Ms. Rosie Rowe  
Dr. Scott Shimabukuro  
Mr. Herbert Taitingfong  
Mr. Steven Vannatta  
Ms. Lisa Vegas  
Ms. Jasmine Williams

Ms. Helen Kaniho, *liaison to  
the Superintendent*  
Ms. Wendy Nakasone-Kalani,  
*liaison to the military  
community*

Amanda Kaahanui, Staff  
Susan Rocco, Staff

Senator Joy A. San Buenaventura, Chair  
Committee on Health and Human Services  
Hawaii State Capitol  
Honolulu, HI 96813

**RE: HB 320, HD 2 - RELATING TO SUPPORTIVE DECISION-  
MAKING AGREEMENTS**

Dear Chair San Buenaventura and members of the Committee,

The Special Education Advisory Council (SEAC) is in strong support of HB 320, HD 2 which allows adults with a disability and other eligible adults to enter into supported decision-making agreements with one or more members of a supportive community, and specifies the terms of a supported decision-making agreement.

Supported decision-making is in keeping with SEAC's values of community inclusion and self-determination for students with disabilities. It allows for the use of one or more trusted "supporters" to help an adult student or person with a disability 18 years or older understand, analyze, and, if needed, communicate choices around issues like finances, housing, health care, transportation, employment and social inclusion.

While individuals can informally include their friends, family and others in making informed choices, these choices are not always recognized (for example, by health care providers or financial institutions), particularly when the individual has difficulty communicating his or her choice. Having a formal Supported Decision-Making (SDM) Agreement recognized in state statutes will help to ensure that the individual's choices are known, considered and honored to the fullest extent possible.

Supported decision-making provides a less restrictive alternative to guardianship, but it does not replace guardianship for those who need it. Rather it offers the option for individuals with disabilities to retain the right to make decisions for themselves.

Respectfully,

Martha Guinan, Chair

*Mandated by the **Individuals with Disabilities Education Act***

**Hearing Testimony, HB320 Room** ,

Aloha Chair, Vice Chair and Committee Members.

My name is Corey Wilber.

Thank you for this opportunity to provide testimony in  
Support of HB320.

I am a self-advocate from the ~~Area~~ <sup>hawaii</sup> Hawaii

HB320 will help me to make decisions that help me live my life more independently. Supported decision making helps me to choose someone I trust to help me make decisions for myself and my life. Having a guardian make all the decisions for me prevents me from deciding what I want in life and live a life that I want.

It is important to me because making my own decisions helps me to have hope each day and not be stuck doing things that I don't want to do.

I support HB320.

Corey Wilber



**Hearing Testimony, HB320 Room** ,

Aloha Chair, Vice Chair and Committee Members.

My name is Marian Park.

Thank you for this opportunity to provide testimony in  
Support of HB320.

I am a self-advocate from The Arc in Hawaii.

HB320 will help me to make decisions that help me live my life more independently. Supported decision making helps me to choose someone I trust to help me make decisions for myself and my life. Having a guardian make all the decisions for me prevents me from deciding what I want in life and live a life that I want.

It is important to me because making my own decisions helps me to have hope each day and not be stuck doing things that I don't want to do.

I support HB320.

Marian Park

**Hearing Testimony, HB320 Room** .

Aloha Chair, Vice Chair and Committee Members.

My name is Celene Galiste

Thank you for this opportunity to provide testimony in  
Support of Arc In Hawaii HB320 \_\_\_\_\_.

I am a self-advocate from the Arc In Hawaii

HB320 will help me to make decisions that help me live my life more independently. Supported decision making helps me to choose someone I trust to help me make decisions for myself and my life. Having a guardian make all the decisions for me prevents me from deciding what I want in life and live a life that I want.

It is important to me because making my own decisions helps me to have hope each day and not be stuck doing things that I don't want to do.

I support HB320.

Celene homo Galiste

**Hearing Testimony, HB320 Room** ,

Aloha Chair, Vice Chair and Committee Members.

My name is Sean Higa .

Thank you for this opportunity to provide testimony in  
Support of HB320 .

I am a self-advocate from The Arc in Hawaii .

HB320 will help me to make decisions that help me live my life more independently. Supported decision making helps me to choose someone I trust to help me make decisions for myself and my life. Having a guardian make all the decisions for me prevents me from deciding what I want in life and live a life that I want.

It is important to me because making my own decisions helps me to have hope each day and not be stuck doing things that I don't want to do.

I support HB320.

Sean Higa

**Hearing Testimony, HB320 Room** .

Aloha Chair, Vice Chair and Committee Members.

My name is Alice Webb.

Thank you for this opportunity to provide testimony in  
Support of HB320.

I am a self-advocate from The Arc in Hawaii.

HB320 will help me to make decisions that help me live my life more independently. Supported decision making helps me to choose someone I trust to help me make decisions for myself and my life. Having a guardian make all the decisions for me prevents me from deciding what I want in life and live a life that I want.

It is important to me because making my own decisions helps me to have hope each day and not be stuck doing things that I don't want to do.

I support HB320.

Alice Webb

THE THIRTY-SECOND LEGISLATURE  
REGULAR SESSION OF 2025

The Honorable San Buenaventura, Chair  
Committee on Health and Human Services  
The Thirty-Third Legislature  
State Capitol  
State of Hawai'i  
Honolulu, Hawai'i 96813

Aloha Chair Senator San Buenaventura, Vice Chair and Committee Members.  
HB320 HD2 Testimony in support

I am in strong support of HB320 HD 2 which allows qualified adults, including adults with a disability, mentally ill adults, and adults sixty-five years of age or older, to enter into supported decision-making agreements with one or more members of a supportive community.

My name is Deziree Tacub and I am in support of HB320 HD2 because I have a developmental disability and I was forced to have a guardian with the court. I think supported decision making would be a better choice for me. I could choose the person who can help support me in the decisions I need to make. I would have a better relationship with the person I choose and feel confident that they are supporting me to make the choices that I want. The person I would have to help me make choices is currently paid to help me learn new things through the Medicaid Waiver 1915c program. I think it is okay for people who are paid to help me learn, to also be the person to help me make choices.

Thank you for allowing me to testify in support of HB320 HD2.

**HB-320-HD-2**

Submitted on: 3/10/2025 2:12:09 PM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By | Organization | Testifier Position | Testify                |
|--------------|--------------|--------------------|------------------------|
| Ellen Awai   | Individual   | Support            | Written Testimony Only |

## Comments:

I stand in support of HB320.HD2. After the pandemic, we all need support in making medical decisions, not just those labeled in this bill. Taking the advice of a medical professional who needs to support himself and his own lifestyle is difficult to believe anymore and no one wants to take on the cost of an additional opinion of another professional. Those with lived experiences of the illness or disorder the person has can better help those needing to make a medical decision. I have gone through 35 years thinking others were making a sound decision for me but realized I needed to make them on my own after being fully informed of my options. Trauma can happen anytime in a person's life and everyone experiences it, but to be labeled can be devastating for individuals believing others are not out to just profit from you or through your medical plan or government-funded Medicare/Medicaid. Please support HB320.HD2.

**HB-320-HD-2**

Submitted on: 3/10/2025 1:44:08 PM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By    | Organization | Testifier Position | Testify                |
|-----------------|--------------|--------------------|------------------------|
| ANNETTE TASHIRO | Individual   | Support            | Written Testimony Only |

## Comments:

My name is Annette Chiyo Tashiro, I started my professional career as a Therapeutic Recreation Specialist for the Department of Health at Waimano Training School and Hospital. I retired from the Department of Human Services, Division of Vocational Rehabilitation, Blind Services Branch as a Vocational Rehabilitation Counselor. My whole life, I have advocated for persons with disabilities who have the same rights as all Americans. This bill upholds the person's right to choose how to live with dignity. We must legally recognize Supported Decision-Making (SDM) agreements so people with disabilities can make informed choices and remain independent.

It matters: 1) that people with disabilities are allowed to get notarized SDM agreements recognized by banks and healthcare providers; 2) people with disabilities get the support they need to make informed decisions; 3) people with disabilities have protection against misuse of SDM agreements; and 4) promotes a better alternative to guardianship.

I've been witness to the abuse, neglect, and theft of people with disabilities by people who are supposed to be providing service or assisting those individuals. They need this bill to have a voice about their lives.

Thank you for allowing me to provide testimony in support of HB320 HD2

**HB-320-HD-2**

Submitted on: 3/11/2025 7:51:16 AM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By | Organization | Testifier Position | Testify                   |
|--------------|--------------|--------------------|---------------------------|
| Franz Weber  | Individual   | Support            | Written Testimony<br>Only |

Comments:

I support the bill, providing people with developmental disabilities with more protection and decision making opportunities



Hi, my name is Patrick McGoldrick. I'm from Maui and I support the bill HB320 Supported Decision Making.

The reason why I think this bill is important for people with disabilities is because it will allow them to make decisions on their own like if they want to go to school or if they want to work a full-time job. Plus, this bill will allow me to pick people that I trust to help me with any decisions.

I have a disability, and I think this bill is important because there are many occasions when I have to make a decision. I can get confused about the facts sometimes. With this bill I can find someone I can trust and have them help me by answering my questions and explaining in a way that I understand.

I believe that this bill will respect my choice in who I want to help me. It will support my independence and my rights to make decisions that I feel are best for me. I'm a self-advocate and want to show others how I can live a good life with my family or friends support.

Thank you.



3.12.2025

To: Committee on Health and Human Services

Senator Joy A San Buenaventura, Chair; Senator Henry J. C. Aquino, Vice Chair and Committee Members:

**Support of Bill HB320 HD2: Relating to Supported Decision Making**

I am writing in **support of HB320 HD2** that supports Supported Decision Making. I work as a Case Coordinator supporting adults with Intellectual and Developmental Disabilities (ID/DD) in the Home and Community Based Services Waiver program in Hawaii. In my role I work with individuals and their families advocating community integration and inclusion within the community. 50% of the adults in our program are legally their own self-guardian. While the benefit of guardianship has been discussed with participants and families during the annual Individual Service Plan meetings, there are a variety of reasons why families have not proceeded with securing guardianship. One barrier identified were options to consider with guardianship.

I am a member of the Kauai Chapter of the Hawaii Developmental Disability Council and support participants who are active in Self-Advocacy Advisory Council activities. Several participants that attend the program that I work with have developed an interest in learning more about options for Supported Decision Making. Passage of this bill along with HB648 HD1 to fund a pilot project supporting Guardianship and Conservatorship activities could assist adults with ID/DD explore option of benefit to them.

**Mahalo**

Anne Hvizdak, BSDH, CDHC  
669 Aewa St. #375  
Eleele, HI (Kauai) 96705  
[Hvizdak11@gmail.com](mailto:Hvizdak11@gmail.com)

**HB-320-HD-2**

Submitted on: 3/11/2025 10:25:49 AM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By    | Organization | Testifier Position | Testify                |
|-----------------|--------------|--------------------|------------------------|
| Christina Hogan | Individual   | Support            | Written Testimony Only |

Comments:

I am a *support staff* from **The Arc in Hawaii**.

HB320 HD2 will allow persons to be involved in making their own decisions, so they can live their life more independently.

It is important for them to be able to pick the person that can support them. Not all people need a guardian. They may need someone that they trust to assist them in making life decisions, such as where I live, how I budget my money and where I can go in the community. People with a disability know what they want, however they don't always know how to realize that desire. Their trusted advocate can follow up on these needs/desires.

Thank you for allowing me to provide testimony in support of HB320 HD2.

Aloha Chair Senator San Buenaventura, Vice Chair and Committee Members.

My name is \_\_\_Eva Ujano\_\_\_\_\_.

Thank you for this opportunity to provide testimony in Support of HB320 HD2.

I am a *(self-advocate, parent, support staff)* \_\_\_Self-Advocate\_\_\_\_\_ from *(agency or town)* \_\_\_Kalima O Maui Waiver Program\_\_\_\_\_.

HB320 HD2 will allow me to be involved in making my own decisions, so I can live my life more independently.

It is important for me to be able to pick the person who I want to support me because *(tell your story, 2-5 sentences)*

Because, I need help sometimes in making discissions, such as; money, health, whether I need new shoes, shopping, community outings, finding out which movies are playing in theaters, travel help, etc.

Thank you for allowing me to provide testimony in support of HB320 HD2.

**HB-320-HD-2**

Submitted on: 3/11/2025 9:49:47 AM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By   | Organization | Testifier Position | Testify                |
|----------------|--------------|--------------------|------------------------|
| Bryant Bolosan | Individual   | Support            | Written Testimony Only |

Comments:

Aloha Chair Senator San Buenaventura, Vice Chair and Committee Members.

My name is Bryant Bolosan

Thank you for this opportunity to provide testimony in Support of HB320 HD2.

I am an Admin Assistant from Lanakila Pacific Employment Services.

HB320 HD2 will allow me to be involved in making my own decisions, so I can live my life more independently.

It is important for me to be able to pick the person who I want to support me because I have some concerns about the outcomes of my personal decisions. I also want to make decisions on finances, relationships with others, and medical and mental health. If this bill passes, it will help give myself more freedom to choose but at the same time having support from others in the community.

Thank you for allowing me to provide testimony in support of HB320 HD2.

Aloha Chair Senator San Buenaventura, Vice Chair and Committee Members.

My name is \_\_\_Fae Torres\_\_\_\_\_.

Thank you for this opportunity to provide testimony in Support of HB320 HD2.

I am a *(self-advocate, parent, support staff)* \_\_\_Self-Advocate\_\_\_\_\_ from *(agency or town)* \_\_\_Kalima O Maui Waiver Program\_\_\_\_\_.

HB320 HD2 will allow me to be involved in making my own decisions, so I can live my life more independently.

It is important for me to be able to pick the person who I want to support me because *(tell your story, 2-5 sentences)*

Because, I need help sometimes in making discissions, such as; money, travel help, food/health, housing, etc.

Thank you for allowing me to provide testimony in support of HB320 HD2.

**LATE**

**HB-320-HD-2**

Submitted on: 3/11/2025 2:15:32 PM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By     | Organization | Testifier Position | Testify                |
|------------------|--------------|--------------------|------------------------|
| Sierra Whiteside | Individual   | Support            | Written Testimony Only |

Comments:

**Written Testimony in Support of H.B. 320**

Relating to Supported Decision-Making Agreements

My name is Sierra Whiteside, and I am a self-advocate with a developmental disability. I am submitting this testimony in strong support of H.B. 320, which establishes the legal framework for Supported Decision-Making (SDM) Agreements in Hawai'i. As someone who has faced challenges in making decisions while still wanting to remain independent, I know firsthand how important it is to have support without losing my rights

.

The Need for Supported Decision-Making Agreements

People with developmental disabilities, like me, want to make our own choices. We do not need someone else to take over our lives. Unfortunately, many of us are placed under guardianship, which takes away our basic rights and dignity. Guardianship means someone else makes all the decisions for us—even when we are capable of making our own choices with the right support. This is unacceptable.

Supported Decision-Making (SDM) is a better option because it allows me to get help when I need it while still keeping control over my life. I can choose people I trust—like my family, friends, or mentors—to help me understand my choices. They give me advice and explain things, but in the end, I am the one who makes the decision.

Why a Formal Supported Decision-Making Agreement is Necessary



A formal SDM Agreement is important because places like doctors' offices and banks, do not always recognize verbal agreements. Without a formal document, they might ignore my decisions. The agreement spells out what my supporters can and cannot do. They are there to help, not take over my decisions. It holds them accountable, so they do not take advantage of me. Having a formal agreement also proves that I am capable. It shows that I can make my own decisions and advocate for myself in medical, financial, and everyday life situations.

## Conclusion

H.B. 320 is about freedom, dignity, and independence for people with developmental disabilities. We deserve the right to make our own decisions, just like everyone else. Supported Decision-Making gives us the tools to do that without losing our rights. By passing this bill, Hawai'i will set an example for inclusion and respect for people with disabilities.

For these reasons, I strongly urge you to pass H.B. 320 and stand with self-advocates who want to take charge of our own lives.

Mahalo for your time and consideration.

Sincerely,  
Sierra Whiteside

**LATE**

**HB-320-HD-2**

Submitted on: 3/11/2025 9:05:40 PM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By      | Organization                       | Testifier Position | Testify                |
|-------------------|------------------------------------|--------------------|------------------------|
| Cynthia A. Torian | Testifying for Full Life of Hawaii | Support            | Written Testimony Only |

Comments:

This bill is very much needed in the DDD community to help assist individuals to be able to be a part of the independence and freedom that we all accept as a natural procedure in our everyday lives. This is a given for those of us without disabilities why then it can't be for others even with their disabilities? I work with many of these special individuals, and they know and are capable of making their own decisions, as they should because we can't think for them we collaborate with them. Mahalo sincerely!

**LATE**

**HB-320-HD-2**

Submitted on: 3/11/2025 8:37:09 PM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By | Organization                     | Testifier Position | Testify                |
|--------------|----------------------------------|--------------------|------------------------|
| Renee Subee  | Testifying for The Arc in Hawaii | Support            | Written Testimony Only |

Comments:

I Renee Subee can testify that working with adults with ID/Mental illness should be given the opportunity to make decision in their everyday lives. I have seen what happens when someone has a say in what he/she plays, eats & wears. I see confidence and happiness develop. I know that they don't always make the correct decision but neither do we, but we learn and listen to family and friends advice. This kind of oppotunity can help them to think big and do big. Widen their herizon and reach for the stars. But they have to be given the right to make decisions for themselves. I am so proud to be a part of helping I'd/mentally ill persons become more independent and hopefully given the opportunity to make decisions for their own lives.

**LATE**

**HB-320-HD-2**

Submitted on: 3/11/2025 6:06:51 PM

Testimony for HHS on 3/12/2025 1:10:00 PM

| Submitted By  | Organization   | Testifier Position | Testify              |
|---------------|--|--------------------|----------------------|
| Julia Althoff | Testifying for State<br>Council on Developmental<br>Disabilities | Support            | Remotely Via<br>Zoom |

Comments:

I will be providing oral testimony on behalf of State Council on Developmental Disabilities