

A Bill for an Act Making an Emergency Appropriation to the Department of Health for the Developmental Disabilities Division.

Be It Enacted by the Legislature of the State of Hawaii:

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

SECTION 2. The purpose of this Act is to appropriate additional funds for the State's Medicaid home and community-based services for the developmentally disabled or mentally retarded program, also known as the title XIX waiver program, within the department of health to meet an existing critical funding emergency. The additional funds are necessary to support current clients and to reasonably admit individuals into the program to fulfill the settlement agreement in HDRC v. State of Hawaii, U.S. Dist. Ct., Civil No. 03-00524 HG-KSC, and comply with the United State's Supreme Court decision in Olmstead v. L.C. ex rel Zimring, 527 U.S. 581, 119 S. Ct. 2176 (1999) and the requirements of chapter 333F, Hawaii Revised Statutes, to support people to live in the community.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$6,807,562, or so much thereof as may be necessary, for fiscal year 2005-2006, to carry out the purposes of this Act.

SECTION 4. The sum appropriated shall be expended by the department of health.

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

(Approved April 24, 2006.)