

ACT 303

H.B. NO. 2098

A Bill for an Act Relating to Developmental Disabilities.

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

SECTION 1. Section 333F-2, Hawaii Revised Statutes, is amended by amending subsection (c) to read as follows:

“(c) Supports and services the department shall administer include[,] but shall not be limited to:

- (1) Early identification and evaluation of persons with developmental disabilities or mental retardation;
- (2) Development, planning, and implementation in coordination with other federal, state, and county agencies, of service programs for persons with developmental disabilities or mental retardation;
- (3) Development and provision of service programs in the public or private sectors through chapter 42F or [chapter] 103F, for persons with developmental disabilities or mental retardation;
- (4) Establishment of a continuum of comprehensive services and residential alternatives in the community to allow persons with developmental disabilities or mental retardation to live in the least restrictive, individually appropriate environment;
- (5) Development and implementation of a program for single-entry access by persons with developmental disabilities or mental retardation to services provided under this chapter as well as referral to, and coordination with, services provided in the private sector or under other federal, state, or county acts, and the development of an individualized service plan by an interdisciplinary team;
- (6) Collaborative and cooperative services with public health and other groups for programs to prevent developmental disabilities or mental retardation;
- (7) Informational and educational services to the general public and to lay and professional groups;
- (8) Consultative services to the judicial branch of government, educational institutions, and health and welfare agencies whether the agencies are public or private;
- (9) Provision of community residential alternatives for persons with developmental disabilities or mental retardation, including [~~group homes and~~] homes meeting ICF/MR standards[;], and in a setting of the person's choice if the person with the help of family and friends, if necessary, determines that the person can be sustained with supports, the supports are attached to the person, and adequate consideration and recognition is given to the person's safety and well-being;
- (10) Provision of care at the skilled nursing level or in a skilled nursing facility, as individually appropriate;
- (11) Provision of other programs, services, or facilities necessary to provide a continuum of care for persons with developmental disabilities or mental retardation;
- (12) Provision of case management services independent of the direct service provider; and
- (13) Development and maintenance of respite services in the community for persons with developmental disabilities or mental retardation.”

SECTION 2. The department of health, state council on developmental disabilities shall submit a preliminary report to the legislature no later than twenty days prior to the convening of the regular session of 2007 and a final report no later than twenty days prior to the convening of the regular session of 2008. The reports shall contain but not be limited to:

- (1) The number of persons with developmental disabilities or mental retardation who choose to live independently as provided by this Act;
- (2) The financial impact this Act has had on the State; and
- (3) Any findings and recommendations, including any proposed legislation.

SECTION 3. Statutory material to be repealed is bracketed and stricken. New statutory material is underscored.

SECTION 4. This Act shall take effect upon its approval, and shall be repealed on June 30, 2008; provided that section 333F-2, Hawaii Revised Statutes, shall be reenacted in the form in which it read prior to this Act taking effect.

(Became law on July 11, 2006, without the Governor's signature, pursuant to Art. III, §16, State Constitution.)