

ACT 253

H.B. NO. 870

A Bill for an Act Relating to the Neighbor Islands Blind and Visually Impaired Service Pilot Program.

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

SECTION 1. The legislature finds that thousands of Hawaii residents have visual disabilities that hamper daily living and may lead to isolation, limited productivity, loss of independence, and lack of social integration. The department of human services estimates that there are twelve thousand Hawaii residents who are blind or have a significant visual impairment, many of whom live on

Oahu where access to opportunities and services are better organized and readily available compared to the neighbor islands.

The legislature further finds that state and local support services for blind or visually impaired individuals, including training, adjustment to blindness services, and transportation services, are provided through economies of scale, and therefore tend to benefit residents in populated areas as compared to those in sparsely populated areas. As such, approximately two thousand neighbor island residents who are blind or visually impaired are left with the choice of either moving to Oahu or living without the opportunity to have full and integrated lives in their existing communities.

Accordingly, the legislature finds that there is a need for a supplemental service program that provides additional support services to blind and visually impaired individuals residing on neighbor islands.

The purpose of this Act is to:

- (1) Require the department of human services to:
 - (A) Establish a neighbor islands blind and visually impaired service pilot program that supplements existing statewide services by providing training and other services to neighbor island residents who are blind or visually impaired;
 - (B) Establish a neighbor islands blind and visually impaired service pilot program working group to develop a pilot program implementation plan and submit the plan to the legislature before the regular session of 2024; and
 - (C) Submit a report on the neighbor islands blind and visually impaired service pilot program to the legislature prior to the regular session of 2029; and
- (2) Appropriate funds for the establishment and operation of the neighbor islands blind and visually impaired service pilot program and working group.

SECTION 2. (a) The department shall establish a neighbor islands blind and visually impaired service pilot program to provide training and other services to blind and visually impaired individuals residing on the neighbor islands.

(b) The pilot program shall provide peer-to-peer outreach, sight loss adjustment, peer counseling support, and mobility training to program participants, including:

- (1) Outreach efforts to identify individual and program needs;
- (2) Coordination with existing programs to ensure that existing services are identified and used to the maximum extent possible;
- (3) Adjustment services, including individual and group counseling;
- (4) Access to and training for use of telecommunications services to receive current news, weather alerts, and other vital public information;
- (5) Awareness development and training for the use of computers, smart phones, and other communications devices;
- (6) Daily living, self-care, and home management skills;
- (7) Orientation and mobility training;
- (8) Advocacy training and assistance to secure needed benefits, services, and individual rights; and
- (9) Other services, including peer support needed for program participants to sustain independence and social integration.

The services provided by the pilot program pursuant to this subsection shall be provided by volunteers, who shall be recruited, assigned, and supervised by the department or an entity contracted by the department to organize and imple-

ment the pilot program. All volunteers shall have the necessary qualifications, be chosen based on experience and training, and use training methods consistent with the structured discovery approach used by the new visions program operated by the Ho‘opono services for the blind branch within the department’s division of vocational rehabilitation.

(c) The pilot program shall also provide program participants with special needs transportation assistance. The department shall work with neighbor island transportation service providers and other individuals and entities to develop a special needs transportation assistance service network to serve program participants.

(d) Applications for participation in the pilot program shall be submitted on a form furnished by the department. The department shall establish procedures and requirements for accepting program participants.

(e) The pilot program shall be authorized to extend and supplement the existing services provided by the Ho‘opono services for the blind branch.

(f) The department shall enter into a contract with a nonprofit organization to recruit, train, and supervise volunteer service corps members and oversee the pilot program; provided that existing department personnel may be assigned to fulfill administrative and fiscal responsibilities of the pilot program. Any contract entered into pursuant to this subsection shall be exempt from chapters 103D and 103F. Any nonprofit organization contracted under this subsection shall have:

- (1) The knowledge, experience, and qualifications necessary to provide peer support services to program participants;
- (2) A management team, consisting of officers and directors, of whom a majority are blind or visually impaired; and
- (3) Membership chapters or organization subunits located on the neighbor islands that will be served by the pilot program.

(g) The department shall establish a neighbor islands blind and visually impaired service pilot program working group composed of neighbor island residents who are blind or visually impaired to make recommendations regarding the establishment and implementation of the pilot program. The department, in collaboration with the working group, shall develop a written implementation plan that includes a pilot program performance period and program budget, and shall submit the plan, including any proposed legislation, to the legislature no later than twenty days prior to the convening of the regular session of 2024. The working group shall be exempt from the requirements of part I of chapter 92, Hawaii Revised Statutes.

(h) The department shall submit a report of its findings and recommendations pertaining to the neighbor islands blind and visually impaired service pilot program to the legislature no later than thirty days prior to the convening of the regular session of 2029. The report shall include:

- (1) A record of pilot program activities and accomplishments;
- (2) A recommendation on whether to extend the pilot program; and
- (3) Any proposed legislation.

(i) The department shall adopt rules pursuant to chapter 91, Hawaii Revised Statutes, and prescribe forms necessary to carry out the purposes of this Act.

(j) The pilot program shall begin no later than January 1, 2024, and shall cease to exist on July 30, 2029.

(k) For purposes of this section:

“Department” means the department of human services.

“Neighbor island” means a county with a population less than five hundred thousand.

“Pilot program” means the neighbor islands blind and visually impaired service pilot program established pursuant to this Act.

“Program participant” means a resident of a neighbor island whose mobility or ability to live independently is substantially limited due to loss of sight and who is participating in the neighbor islands blind and visually impaired service pilot program.

“Special needs transportation” means transportation provided to program participants at times or for trips when public transportation is not a reasonable option.

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of \$93,000 or so much thereof as may be necessary for fiscal year 2023-2024 to fund the establishment and operation of the neighbor islands blind and visually impaired service pilot program and working group, including the contracting of services to coordinate the convening of the working group and implementation of the pilot program; provided that:

- (1) The department of human services shall include funding for the pilot program in its regular budget request submitted in 2024; and
- (2) Any funds appropriated pursuant to this section shall be in addition to and shall not supplant any portion of the base budget for any state or county agency providing services for blind or visually impaired persons.

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

SECTION 4. In accordance with section 9 of article VII of the Hawaii State Constitution and sections 37-91 and 37-93, Hawaii Revised Statutes, the legislature has determined that the appropriations contained in H.B. No. 300, H.D. 1, S.D. 1, C.D. 1,¹ will cause the state general fund expenditure ceiling for fiscal year 2023-2024 to be exceeded by \$1,063,767,367 or 10 per cent. In addition, the appropriations contained in this Act will cause the general fund expenditure ceiling for fiscal year 2023-2024 to be further exceeded by \$93,000 or 1 per cent. The combined total amount of general fund appropriations contained in only these two Acts will cause the state general fund expenditure ceiling for fiscal year 2023-2024 to be exceeded by \$1,063,860,367 or 11 per cent. The reasons for exceeding the general fund expenditure ceiling are that:

- (1) The appropriation made in this Act is necessary to serve the public interest; and
- (2) The appropriation made in this Act meets the needs addressed by this Act.

SECTION 5. This Act shall take effect on July 1, 2023, and shall be repealed on June 30, 2029.

(Approved July 7, 2023.)

Note

1. Act 164.