

JAN 2 1 2011

A BILL FOR AN ACT

RELATING TO PERSONS WITH INTELLECTUAL AND DEVELOPMENTAL
DISABILITIES.

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

1 SECTION 1. The legislature finds that persons with
2 intellectual and developmental disabilities need continuing
3 education, evaluation, and services to obtain necessary
4 employment skills. Current research indicates that many persons
5 with intellectual and developmental disabilities are able to
6 achieve an employment skill level that enables them to become
7 self-sufficient, taxpaying contributors to the economy.

8 For example, the state of Washington has a state policy
9 that encourages all persons with intellectual and developmental
10 disabilities to find paid employment no matter how profound
11 their disabilities. Accordingly, the Washington Department of
12 Social and Health Services adopted a policy that all the
13 activities it funded for working adults with intellectual and
14 developmental disabilities under age sixty-two would be related
15 to finding and keeping jobs.



1 An internet article on November 15, 2009 by the Employment
2 Law Post entitled, *Employing Developmentally Disabled Can Be a*
3 *Win-Win*, stated in pertinent part:

4 "Individuals with serious disabilities encounter
5 many difficulties when attempting to enter the
6 workforce. They may have physical or mental
7 deficiencies that make it difficult, if not
8 impossible, to become competitively employed."

9 The State Employment Leadership Network (SLEN), a joint
10 program of the National Association of State Directors of
11 Developmental Disabilities Services and the Institute for
12 Community Inclusion at the University of Massachusetts Boston
13 launched in 2006, has a membership of seventeen states,
14 including Hawaii, as of February 17, 2010. SLEN is a
15 cross-state cooperative venture of the state agencies that serve
16 persons with intellectual and developmental disabilities and are
17 committed to improving employment outcomes for adolescents and
18 adults with intellectual and developmental disabilities. SLEN
19 connects, collaborates, and creates cross-community support for
20 the pressing employment-related issues faced by state systems
21 and at the federal level.



1 Presently, programs for training and education of persons
2 with intellectual and developmental disabilities are
3 administrative initiatives. However, the legislature finds that
4 funding for these initiatives could be augmented by federal
5 funding as part of a medicaid waiver, if the program is placed
6 in statute.

7 The purpose of this Act is to enact an employment training
8 and placement program to develop more effective employment
9 systems for persons with intellectual and developmental
10 disabilities, and to require the department of human services to
11 seek a medicaid waiver for funding of the program.

12 SECTION 2. Chapter 333E, Hawaii Revised Statutes, is
13 amended by adding a new section to be appropriately designated
14 and to read as follows:

15 "§333E- Employment training and placement. (a) There
16 is established an employment training and placement program for
17 persons with intellectual and developmental disabilities to be
18 administered by the department of human services. The program's
19 target population shall be working adults with intellectual and
20 developmental disabilities between the ages of sixteen and
21 sixty-five; provided that priority shall be given to youth in
22 transition with intellectual and developmental disabilities



1 between the ages of sixteen and twenty-two. The purpose of the
2 program shall be to provide services to assist persons with
3 intellectual and developmental disabilities in finding and
4 keeping employment.

5 (b) Services under subsection (a) shall consist of support
6 to individuals to maintain gainful employment. Key elements of
7 these services include:

8 (1) Supports tailored to the needs, interests, and
9 abilities of the individual;

10 (2) Supports to achieve and maintain integrated, gainful
11 employment in the community;

12 (3) Skills assessments and job placement services; and

13 (4) Job development and coaching.

14 (c) For purposes of this section, the department of human
15 services may use private service providers to furnish services.

16 (d) The department of human services shall seek a medicaid
17 waiver to provide funding for services under this section. The
18 employment training and placement program for persons with
19 intellectual and developmental disabilities shall be deemed a
20 part of home- and community-based services waivers and targeted
21 case management programs for special population groups,
22 including services relating to the needs of special populations



1 such as the elderly, the mentally ill, and the physically and
 2 mentally disabled. The employment training and placement
 3 program is intended to allow adults with intellectual and
 4 developmental disabilities to live outside of institutionalized
 5 care that would otherwise be funded by medicaid."

6 SECTION 3. There is appropriated out of the general
 7 revenues of the State of Hawaii the sum of \$1,500,000
 8 or so much thereof as may be necessary for fiscal year 2011-2012
 9 and the same sum or so much thereof as may be necessary for
 10 fiscal year 2012-2013 for the employment training and placement
 11 program as matching state funding to federal funds received
 12 pursuant to a medicaid waiver for the employment training and
 13 placement program.

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

16 SECTION 4. New statutory material is underscored.

17 SECTION 5. This Act shall take effect on July 1, 2011.

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Report Title:

Developmental Disability; Job Training; Appropriation

Description:

Establishes an employment and training program under the department of human services for intellectually and developmentally disabled persons using medicaid waiver funds. Makes an appropriation.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

