



GOV. MSG. NO. 1197

EXECUTIVE CHAMBERS  
HONOLULU

NEIL ABERCROMBIE  
GOVERNOR

April 30, 2012

The Honorable Shan Tsutsui, President  
and Members of the Senate  
Twenty-Sixth State Legislature  
State Capitol, Room 409  
Honolulu, Hawaii 96813

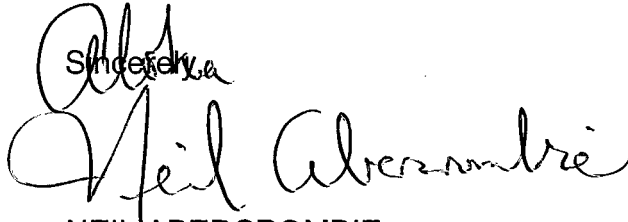
The Honorable Calvin Say, Speaker  
and Members of the House  
Twenty-Sixth State Legislature  
State Capitol, Room 431  
Honolulu, Hawaii 96813

Dear President Tsutsui, Speaker Say and Members of the Legislature:

This is to inform you that on April 30, 2012, the following bill was signed into law:

SB2828 HD3

RELATING TO THE HAWAII EARLY  
INTERVENTION COORDINATING COUNCIL.  
**Act 096 (12)**

Sincerely,  
  
NEIL ABERCROMBIE  
Governor, State of Hawaii

Approved by the Governor

on APR 30 2012

THE SENATE  
TWENTY-SIXTH LEGISLATURE, 2012  
STATE OF HAWAII

ACT 096  
S.B. NO. 2828  
H.D. 3

---

---

# A BILL FOR AN ACT

RELATING TO THE HAWAII EARLY INTERVENTION COORDINATING COUNCIL.

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

1 SECTION 1. Section 321-353, Hawaii Revised Statutes, is  
2 amended to read as follows:

3 "~~§321-353~~ **Hawaii early intervention coordinating council;**  
4 **establishment.** (a) There is established within the department  
5 for administrative purposes the Hawaii early intervention  
6 coordinating council. Members shall be appointed for three-year  
7 terms by the governor without the necessity of the advice and  
8 consent of the senate. The [~~membership of the~~] council shall  
9 [~~consist of fifteen~~] comprise twenty-five members [~~selected from~~  
10 ~~the following~~+] as follows:

11 (1) At least [~~three~~] twenty per cent of the members shall  
12 be parents of infants[+] or toddlers[+] with special  
13 needs, or children [under the age of seven] with  
14 special needs[+] aged twelve years or younger, with  
15 knowledge of, or experience with, programs for infants  
16 and toddlers with special needs; provided that at  
17 least one parent shall be a parent of an infant or



- 1 toddler with special needs, or of a child with special  
2 needs aged six years or younger;
- 3 (2) At least [~~three~~] twenty per cent of the members shall  
4 be public or private providers of early intervention  
5 services;
- 6 (3) [~~At least one representative~~] Two members shall be  
7 from the legislature[+], of which one member shall be  
8 selected by the president of the senate and one member  
9 shall be selected by the speaker of the house of  
10 representatives;
- 11 (4) [~~At least one person~~] One member shall be involved in  
12 personnel preparation;
- 13 (5) One member shall be from the department of health  
14 program involved in the provision of, or payment for,  
15 early intervention services to infants and toddlers  
16 with special needs and their families who has  
17 sufficient authority to engage in policy planning and  
18 implementation on behalf of the program;
- 19 (6) One member shall be from the department of health  
20 program responsible for children's mental health;
- 21 [~~(5)~~] ~~At least one~~ (7) One member [representing] shall be  
22 from the department of education[+] program



1 responsible for preschool services to children with  
2 disabilities who has sufficient authority to engage in  
3 policy planning and implementation on behalf of the  
4 program;

5 (8) One member shall be from the department of education  
6 program responsible for the coordination of education  
7 of homeless children and youths;

8 [~~6~~] ~~At least one~~] (9) One member [representing] shall be  
9 from the department of human services[+] program  
10 responsible for the state medicaid program;

11 (10) One member shall be from the department of human  
12 services program responsible for child care;

13 (11) One member shall be from the department of human  
14 services program responsible for foster care;

15 (12) One member shall be from the department of commerce  
16 and consumer affairs program responsible for state  
17 regulation of health insurance;

18 (13) One member shall be from a Head Start or Early Head  
19 Start agency or program in the State;

20 [~~7~~] ~~At least one member representing the office of the~~  
21 ~~governor,] and~~



1       ~~[(8)]~~ (14) Other members ~~[representing private or public~~  
2           agencies] involved in or interested in ~~[the payment~~  
3           ~~for or provision of]~~ services to infants and toddlers  
4           with special needs and their families~~[-]~~ who are  
5           selected by the governor.

6           Any vacancy on the council shall be filled in the same  
7           manner in which the original position was filled.

8           (b) The council shall elect its officers, and ~~[eight]~~  
9           thirteen members shall constitute a quorum. Members shall serve  
10          without compensation but shall be reimbursed for expenses,  
11          including travel expenses, necessary for the performance of  
12          their duties. No member shall cast a vote on any matter that is  
13          likely to provide a direct financial benefit to that member or  
14          otherwise give the appearance of a conflict of interest. No  
15          member from an executive or administrative department under  
16          chapter 26 may serve as the chairperson of the council.

17          (c) The council shall meet at least quarterly and in such  
18          places as it deems necessary. The meetings shall be publicly  
19          announced, and be open and accessible to the general public.

20          (d) The council shall perform the following functions:

21               (1) Advise and assist the director in the identification  
22               of the sources of fiscal and other support for



1 services for early intervention programs, assignment  
2 of financial responsibility to the appropriate agency,  
3 and the promotion of the interagency agreements;

4 (2) Advise and assist the department in the preparation of  
5 applications and amendments thereto; [and]

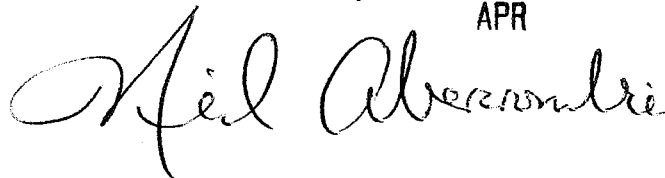
6 (3) Advise and assist the department of education  
7 regarding the transition of toddlers with special  
8 needs to preschool and other appropriate services; and

9 [~~3~~] (4) Prepare and submit an annual report to the  
10 governor on the status of early intervention programs  
11 for infants and toddlers with special needs and their  
12 families within the State."

13 SECTION 2. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 3. This Act shall take effect on July 1, 2012.

APPROVED this 30 day of APR, 2012



GOVERNOR OF THE STATE OF HAWAII