
SENATE CONCURRENT RESOLUTION

REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO EXAMINE HOW
THE DEPARTMENT OF EDUCATION CAN MAXIMIZE MEDICAID
REIMBURSEMENT FOR SUPPORT SERVICES OFFERED TO ELIGIBLE
STUDENTS DURING SCHOOL HOURS.

1 WHEREAS, the federal Individuals with Disabilities
2 Education Act and state laws require the Department of Education
3 to provide a free appropriate public education, which includes a
4 continuum of services, to students who are eligible for special
5 education and related services; and
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7 WHEREAS, special education may include but is not limited
8 to academic services, speech-language services, psychological
9 services, physical and occupational therapy, counseling
10 services, and parent education, all at no cost to parents; and
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12 WHEREAS, if a student is found eligible to receive special
13 education, services are provided to the student through an
14 individualized education plan, which is a written statement
15 about the educational program for a child with a disability,
16 serves as a management tool to ensure that the child receives
17 the needed special education and related services, and is an
18 evaluation device when used to determine the extent of the
19 child's progress toward accomplishing projected goals; and
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21 WHEREAS, the Child and Adolescent Mental Health Division of
22 the Department of Health has a statewide mandate as a result of
23 the Felix Consent Decree to work with the Department of
24 Education to provide services to special education youth with
25 severe mental health conditions and should be able to receive
26 payment from MedQUEST for reimbursement for services provided to
27 Medicaid eligible children and adolescents; and
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29 WHEREAS, because of how critical it is for all students to
30 receive a quality public education, this body recognizes that a



1 review of the Department of Education's effectiveness and
2 efficiency in maximizing Medicaid reimbursements for support
3 services to eligible students is necessary; now, therefore,
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5 BE IT RESOLVED by the Senate of the Twenty-ninth
6 Legislature of the State of Hawaii, Regular Session of 2018, the
7 House of Representatives concurring, that a working group be
8 established to examine how the Department of Education can
9 maximize Medicaid reimbursement for support services offered to
10 eligible students during school hours; and
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12 BE IT FURTHER RESOLVED that the working group include the
13 following members:
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- 15 (1) The Superintendent of Education, or the
16 Superintendent's designee;
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- 18 (2) The MedQUEST Administrator, or the Administrator's
19 designee;
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- 21 (3) A MedQUEST health care services representative;
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- 23 (4) The Deputy Attorneys General representing the
24 Department of Human Services and Department of
25 Education, or their respective designees;
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- 27 (5) The Chair of the Senate Committee on Education, to
28 serve as co-chair;
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- 30 (6) The Chair of the House of Representatives Committee on
31 Education, to serve as co-chair; and
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- 33 (7) Any other persons as may be invited by the working
34 group; and
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36 BE IT FURTHER RESOLVED that the working group convene by
37 August 1, 2018; and
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39 BE IT FURTHER RESOLVED that the agenda at the first
40 convening of the working group include an update on Medicaid
41 billing; and



1 BE IT FURTHER RESOLVED that the working group's examination
2 on maximizing Medicaid reimbursement for support services
3 offered during school hours by the Department of Education
4 include but not be limited to:

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- 6 (1) Occupational and physical therapy;
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- 8 (2) Speech pathology;
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- 10 (3) Applied behavior analysis; and
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- 12 (4) Other wellness supports that benefit a student's
- 13 learning and growth; and
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15 BE IT FURTHER RESOLVED that the working group is requested
16 to submit a report of its findings and recommendations and any
17 other actions taken pursuant to this measure to the Legislature
18 no later than twenty days prior to the convening of the Regular
19 Session of 2019; and

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21 BE IT FURTHER RESOLVED that certified copies of this
22 Concurrent Resolution be transmitted to the Superintendent of
23 Education, Attorney General, MedQUEST Division Administrator,
24 Chair of the Senate Committee on Education, and Chair of the
25 House of Representatives Committee on Education.

