

STAND. COM. REP. NO. **3718**

Honolulu, Hawaii

APR 12 2018

RE: GOV. MSG. NOS. 608,
610, 611, 612, 613,
630, 631

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health, to which was referred Governor's Message Nos. 608, 610, 611, 612, 613, 630, and 631, submitting for study and consideration the nominations of:

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

G.M. No. 608	RYAN PALACIO, for a term to expire 06-30-2020;
G.M. No. 610	PATRICIA MORRISSEY, for a term to expire 06-30-2018;
G.M. No. 611	PATRICIA MORRISSEY, for a term to expire 06-30-2022;
G.M. No. 612	LIZA YOGI, for a term to expire 06-30-2022;
G.M. No. 613	MARY BROGAN, for a term to expire 06-30-2019;
G.M. No. 630	MICHELLE PESTEL-MAGA, for a term to expire 06-30-2022; and
G.M. No. 631	DARWIN NAGAMINE, for a term to expire 06-30-2020,

begs leave to report as follows:

2018-2266 GM SSCR SMA.doc



Your Committee reviewed the personal histories, resumes, and statements submitted by Ryan Palacio, Patricia Morrissey, Liza Yogi, Mary Brogan, Michelle Pestel-Maga, and Darwin Nagamine for service on the State Council on Developmental Disabilities.

RYAN PALACIO

Your Committee received testimony in support of the nomination for the appointment of Ryan Palacio from the Division of Vocational Rehabilitation of the Department of Human Services, State Council on Developmental Disabilities, Friendship House, Hawaii Self-Advocacy Advisory Council, and one individual.

Upon review of the testimony, your Committee finds that Mr. Palacio's background, experience, and commitment qualify him to be nominated for appointment to the State Council on Developmental Disabilities. Your Committee notes that federal law specifically requires sixty percent of the membership of the Council to consist of individuals with developmental disabilities or their parents, guardians, or immediate relatives. Your Committee further notes that Mr. Palacio's appointment would contribute toward this requirement. Your Committee notes that Mr. Palacio currently serves as the vice chair of the Hawaii Self-Advocacy Advisory Council and understands the role and responsibility of Council membership. Your Committee finds that Mr. Palacio is an active member of the community through his participation in Friendship House and Special Olympics. Your Committee notes that Mr. Palacio is a passionate advocate on behalf of persons with developmental disabilities. Mr. Palacio indicated in his personal statement that he plans to ensure that necessary services are in place for the future.

PATRICIA MORRISSEY

Your Committee received testimony in support of the nominations for the appointment and reappointment of Patricia Morrissey from the State Council on Developmental Disabilities, Hawaii Self-Advocacy Advisory Council, Hawaii Disability Rights Center, Center on Disability Studies - College of Education, and one individual.

Upon review of the testimony, your Committee finds that Dr. Morrissey's expertise, background, and experience qualify her to be nominated for appointment and reappointment to the State



Council on Developmental Disabilities as a representative of the University Centers for Excellence in Developmental Disabilities Education, Research, and Service. Your Committee finds that Dr. Morrissey currently serves as the Director of the Center on Disability Studies, College of Education, University of Hawaii. Dr. Morrissey also serves as the Chair of the United States International Council on Disabilities, where she has been a member since 2010. Your Committee notes that Dr. Morrissey played a central role in drafting major disability legislation, demonstrating her familiarity with the law-making process. In addition, Dr. Morrissey's research background will provide the Council with the data and trends necessary to pursue federal grants and other funding. Your Committee notes that Dr. Morrissey has provided consulting services with respect to disability access to technology. In addition to her professional experience, Dr. Morrissey can effectively advocate for persons with disabilities as a person with cerebral palsy.

LIZA YOGI

Your Committee received testimony in support of the nomination for the reappointment of Liza Yogi from the State Council on Developmental Disabilities, Hawaii Self-Advocacy Advisory Council, and three individuals.

Upon review of the testimony, your Committee finds that Ms. Yogi's background, experience, and enthusiasm qualify her to be nominated for reappointment to the State Council on Developmental Disabilities as a parent of a person with a developmental disability. Your Committee notes that, as a resident of Hawaii island, Ms. Yogi could serve as a liaison to the East Hawaii Developmental Disabilities Committee, as she already attends Committee meetings. Your Committee finds that Ms. Yogi is an original planning partner of the East Hawaii Disability Legislative Forum, which encourages discussion between community members and legislators. Your Committee finds that Ms. Yogi has valuable experience as a caregiver and collaborator within her local community who is adept at leveraging local resources. Ms. Yogi indicated in her personal statement a desire to help achieve the goals of the Council and continue to introduce new ideas to improve results. Your Committee finds that Ms. Yogi understands the role and responsibilities of Council membership.



MARY BROGAN

Your Committee received testimony in support of the nomination for the appointment of Mary Brogan from the Department of Health, Department of Human Services, State Council on Developmental Disabilities, Hawaii Self-Advocacy Advisory Council, and three individuals.

Upon review of the testimony, your Committee finds that Ms. Brogan's education, expertise, and experience qualify her to be nominated for appointment to the State Council on Developmental Disabilities as a representative of the Department of Health. Your Committee finds that Ms. Brogan is currently employed as the Administrator of the Developmental Disabilities Division of the Department of Health. Your Committee further finds that, in Ms. Brogan's capacity as the Administrator, she would provide the Council with direct and ongoing information about the Division's programs. Your Committee finds that Ms. Brogan was instrumental in working with the MedQuest Division of the Department of Human Services to write, submit, and secure approval for a new Home and Community Based Services Waiver application and plan. Your Committee also notes that Ms. Brogan serves on the Board of Directors for the National Association of State Developmental Disabilities Directors and chairs their Research Committee, providing the Council with access to insights and research from the national level.

MICHELLE PESTEL-MAGA

Your Committee received testimony in support of the nomination for the reappointment of Michelle Pestel-Maga from the State Council on Developmental Disabilities, Hawaii Self-Advocacy Advisory Council, and five individuals.

Upon review of the testimony, your Committee finds that Ms. Pestel-Maga's experience, passion, and background qualify her to be nominated for reappointment to the State Council on Developmental Disabilities as a parent of a child with special needs. Your Committee finds that Ms. Pestel-Maga is the primary mover behind Act 213, Session Laws of Hawaii 2015, also known as Anya's Law, which required health insurance coverage for orthodontic treatment of orofacial anomalies, as well as follow-up legislation expanding the number of orthodontists eligible to perform the medically necessary orthodontic services, demonstrating her familiarity with the law-making process as well



as her commitment to effective advocacy. Ms. Pestel-Maga would also bring her knowledge of the early intervention and early childhood system to the Council. In addition to serving on the State Council on Developmental Disabilities since 2016, your Committee notes that Ms. Pestel-Maga currently serves as the President of Lifetime of Smiles Hawaii and the Secretary of Family Voices Hawaii, demonstrating her community engagement and that she understands the role and responsibilities of Council membership.

DARWIN NAGAMINE

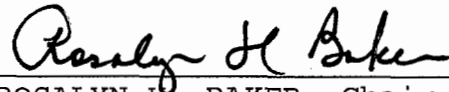
Your Committee received testimony in support of the nomination for the appointment of Darwin Nagamine from the State Council on Developmental Disabilities, Hawaii Self-Advocacy Advisory Council, and five individuals.

Upon review of the testimony, your Committee finds that Mr. Nagamine's background, experience, and enthusiasm qualify him to be nominated for appointment to the State Council on Developmental Disabilities. Your Committee notes that federal law specifically requires sixty percent of the membership of the Council to consist of individuals with developmental disabilities or their parents, guardians, or immediate relatives. Your Committee further notes that Mr. Nagamine's appointment would contribute toward this requirement. Mr. Nagamine currently serves as a moderator at the East Hawaii Disability Legislative Forum, which encourages discussion between community members and legislators. Mr. Nagamine is also the Vice-Chair of the Hawaii Self-Advocacy Advisory Council and a member of Special Olympics, demonstrating his engagement with the community. Mr. Nagamine also attends East Hawaii Developmental Disabilities Committee meetings and understands the role and responsibilities of Council membership. Mr. Nagamine indicated in his personal statement that he hopes to make Hawaii a more inclusive and integrated home.

As affirmed by the records of votes of the members of your Committee on Commerce, Consumer Protection, and Health that are attached to this report, your Committee, after full consideration of the background, experience, and qualifications of the nominees, has found the nominees to be qualified for the positions to which nominated and recommends that the Senate advise and consent to the nominations.



Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,

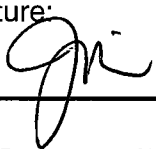


ROSALYN H. BAKER, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i


Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH
Advise and Consent

Governor's Message No.:* 600	Committee Referral: CPH	Date: 3/29/18		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is:				
<input checked="" type="checkbox"/> Advise and Consent 2340		<input type="checkbox"/> Not Advise and Consent 2345		
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TOKUDA, Jill N. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.	/			
TOTAL	6			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature: 				
Distribution:				
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy	

*Only one Governor's Message per Record of Votes

The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH
Advise and Consent

Governor's Message No.:* 610	Committee Referral: CPH	Date: 3/29/18		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TOKUDA, Jill N. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				-
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.	/			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

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Governor's Message No.:* <p align="center" style="font-size: 1.2em;">611</p>	Committee Referral: <p align="center" style="font-size: 1.2em;">CPH</p>	Date: <p align="center" style="font-size: 1.2em;">3/29/18</p>
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The Committee is reconsidering its decision

The Recommendation is:

<input checked="" type="checkbox"/> Advise and Consent 2340	<input type="checkbox"/> Not Advise and Consent 2345
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Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TOKUDA, Jill N. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				-
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.	/			
TOTAL	4			1

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature: 

Distribution:	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy
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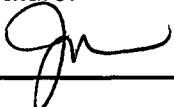
Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH
Advise and Consent

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The Recommendation is:				
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<input type="checkbox"/> Not Advise and Consent <div style="text-align: center; font-size: 0.8em;">2345</div>				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TOKUDA, Jill N. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.	/			
TOTAL	6			1
Recommendation:				
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution:				
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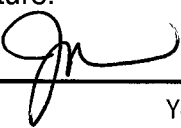
Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH
Advise and Consent

Governor's Message No.:* 613	Committee Referral: CPH	Date: 3/29/19		
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Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TOKUDA, Jill N. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				-
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.	/			
TOTAL	4			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: 				
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Twenty-Ninth Legislature
State of Hawai'i

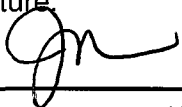
Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH
Advise and Consent

Governor's Message No.:* 630	Committee Referral: CPH	Date: 3/29/19		
<input type="checkbox"/> The Committee is reconsidering its decision				
The Recommendation is: <input checked="" type="checkbox"/> Advise and Consent 2340 <input type="checkbox"/> Not Advise and Consent 2345				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TOKUDA, Jill N. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.	/			
TOTAL	6			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center;"></div>				
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Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH
Advise and Consent

Governor's Message No.:* <div style="text-align: center; font-size: 1.2em;">631</div>	Committee Referral: <div style="text-align: center; font-size: 1.2em;">CPH</div>	Date: <div style="text-align: center; font-size: 1.2em;">3/29/18</div>		
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Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	/			
TOKUDA, Jill N. (VC)	/			
CHANG, Stanley	/			
ESPERO, Will	/			
IHARA, Jr., Les				/
NISHIHARA, Clarence K.	/			
RUDERMAN, Russell E.	/			
TOTAL	6			1
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
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