

STAND. COM. REP. NO.

3687

Honolulu, Hawaii

APR 06 2018

RE: H.B. No. 538
H.D. 1
S.D. 2

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

Sir:

Your Committee on Ways and Means, to which was referred H.B. No. 538, H.D. 1, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose and intent of this measure is to establish a special fund to accept revenues from Medicaid administrative claiming relating to the Hawaii home and community-based services for people with intellectual and developmental disabilities waiver.

This measure also establishes a working group to examine and evaluate the application process of the Hawaii Medicaid section 1915(c) home and community-based services for people with an intellectual and developmental disabilities waiver.

Your Committee received written comments in support of this measure from the Department of Health, Department of Human Services, State Council on Developmental Disabilities, The Arc in Hawaii, Catholic Charities Hawaii, Hawaii Disability Rights Center, Full Life, and Oahu County Committee on Legislative Priorities of the Democratic Party of Hawaii.

Your Committee finds that this measure establishes a special fund necessary to support the new federal requirements regarding



the implementation of the home and community-based services for people with intellectual and developmental disabilities waiver program.

Your Committee notes that the Department of Health submitted testimony suggesting that section 5 of the measure, which requires the State Council on Developmental Disabilities to establish a working group, be deleted to align with the contents of S.B. No. 2798, the companion bill to this measure, and to focus more on the establishment of a special fund for the Medicaid waiver program. The Department of Health also noted its own efforts to convene stakeholders to address the matters assigned to the working group. The Department of Human Services submitted similar testimony also suggesting that section 5 be deleted. The Department of Human Services noted that current rules already allow for the formation of a similar working group and requested that, if the measure establishes a working group, a representative from the Med-Quest Division be named as a member. Finally, the State Council on Developmental Disabilities also submitted testimony requesting that section 5 be deleted based upon the Council's belief that federal law allows for the creation of a working group without state legislation. The State Council on Developmental Disabilities also noted that it had commitments from the Developmental Disabilities Division of the Department of Health, Hawaii Disability Rights Center, and University of Hawaii Center on Disabilities Studies to work with families and individuals with disabilities to improve the application process and access to resources for the waiver program and other services.

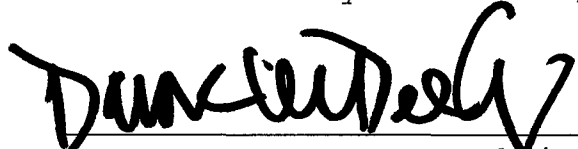
Your Committee has amended this measure by:

- (1) Clarifying that the term "section 1915(c)" refers to section 1915(c) of the Social Security Act;
- (2) Specifying that the individuals appointed as members of the working group due to being a parent or guardian of children with developmental disabilities may be reimbursed for reasonable expenses incurred in their duties as members of the working group; and
- (3) Making technical nonsubstantive amendments for purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 538, H.D. 1, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 538, H.D. 1, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



DONOVAN M. DELA CRUZ, Chair



The Senate
 Twenty-Ninth Legislature
 State of Hawai'i

Record of Votes
Committee on Ways and Means
WAM

Bill / Resolution No.:* HB538 HDI SDI	Committee Referral: HMS/CPH, WAM	Date: 4/5/18
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The Committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312 Pass, with amendments 2311 Hold 2310 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
DELA CRUZ, Donovan M. (C)	X			
KEITH-AGARAN, Gilbert S.C. (VC)	X			
ENGLISH, J. Kalani	X			
GALUTERIA, Brickwood	X			
HARIMOTO, Breene				X
INOUYE, Lorraine R.				X
KAHELE, Kaiali'i	X			
KIDANI, Michelle N.	X			
RIVIERE, Gil	X			
SHIMABUKURO, Maile S.L.	X			
WAKAI, Glenn	X			
TOTAL	9	0	0	2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


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*Only one measure per Record of Votes