

STAND. COM. REP. NO. 1420

Honolulu, Hawaii

MAR 22 2019

RE: H.B. No. 1273
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirtieth State Legislature
Regular Session of 2019
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred H.B. No. 1273, H.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:

- (1) Establish the intellectual and developmental disabilities medicaid waiver administrative claiming special fund; and
- (2) Convene a task force to examine and evaluate the application process of the Hawaii Medicaid Section 1915(c) Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities.

Your Committee received testimony in support of this measure from the Department of Health, Department of Human Services, State Council on Developmental Disabilities, Hawai'i Psychological Association, Hawaii Substance Abuse Coalition, and two individuals. Your Committee received comments on this measure from the Hawaii Disability Rights Center and Responsive Caregivers of Hawaii.



Your Committee finds that the Department of Health, Developmental Disabilities Division is the operating agency for Hawaii's Medicaid Home and Community-Based Services Waiver for Persons with Intellectual and Developmental Disabilities (HCBS I/DD Waiver), pursuant to section 1915(c) of the Social Security Act. The federal government permits Medicaid administrative claiming, which provides funds to states to help states defray the cost of operating the HCBS I/DD Waiver. However, your Committee notes that the Department of Health has only conducted minimal administrative claiming because it lacks the infrastructure required to meet federal requirements for implementation of the HCBS I/DD Waiver. Establishing the intellectual and developmental disabilities medicaid waiver administrative claiming special fund ensures that monies from administrative claiming can be expeditiously used by the Department of Health to bring the waiver program up to federal standards and modernize Hawaii's administration of the program so that it can continue to meet federal guidelines going forward.

Your Committee further finds that developing educational and training materials is necessary to address concerns about the waiver program raised by parents and various stakeholders. However, in place of establishing a task force, your Committee believes that it will be more efficient for the Departments of Health and Human Services to develop the materials in consultation with interested stakeholders, to enhance communication and education about the Developmental Disabilities Division's admission, assessment, and service delivery process.

Accordingly, your Committee has amended this measure by:

- (1) Replacing the task force with a requirement for the Departments of Health and Human Services to work with stakeholders to develop and distribute information about accessing Medicaid services for individuals with intellectual and developmental disabilities;
- (2) Requiring the Department of Health to submit a report to the Legislature no later than twenty days prior to the convening of the Regular Session of 2020;
- (3) Removing language that would have required the Department of Health to discontinue its current

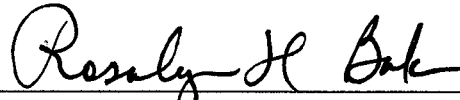


assessment system for evaluation of clients, as this could have jeopardized federal funding of Hawaii's HCBS I/DD Waiver; and

- (4) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1273, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 1273, H.D. 1, S.D. 1, and be referred to your Committee on Ways and Means.

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




ROSALYN H. BAKER, Chair



The Senate
Thirtieth Legislature
State of Hawai'i

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

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 1273, HD1	CPH, WAM	3/13/19		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	✓			
CHANG, Stanley (VC)	✓			
KEOHOKALOLE, Jarrett	✓			
NISHIHARA, Clarence K.				✓
RUDERMAN, Russell E.	✓			
THIELEN, Laura H.	✓			
FEVELLA, Kurt	✓			
TOTAL	6			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	

*Only one measure per Record of Votes