SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HEALTH'S DEVELOPMENTAL DISABILITIES DIVISION TO MAINTAIN THE INTEGRITY OF CHAPTER 333F, HAWAII REVISED STATUTES, TO SERVE INDIVIDUALS WITH DEVELOPMENTAL OR INTELLECTUAL DISABILITIES REGARDLESS OF WHETHER THEY HAVE SIGNIFICANT MEDICAL AND BEHAVIORAL NEEDS OR A DUAL DIAGNOSIS OF A DEVELOPMENTAL DISABILITY AND MENTAL ILLNESS.

WHEREAS, individuals with developmental disabilities and their families are more often than not frustrated by the current system of care and its philosophical underpinnings that seem to favor provider agencies and a constantly changing, bureaucratic approach to service delivery that puts the interests of rules and regulations ahead of the interests of individuals; and

WHEREAS, instead, individuals would like to see a person-centered service system that provides continuity and stability of services and supports characterized by a comprehensive understanding of individuals' strengths, desires, hopes, and aspirations and provided in a manner that reflects a sincere commitment to maximizing opportunities for individuals to function with as much independence and self-determination as possible; and

WHEREAS, once an adult with a developmental disability is determined to be eligible for services under the Department of Health's Developmental Disabilities Division, it is not necessary to reevaluate their eligibility again; and

WHEREAS, for individuals with developmental disabilities, their eligibility for services under the Developmental Disabilities Division is not contingent upon their eligibility for Medicaid or Medicaid-funded services; and

WHEREAS, for individuals who are eligible for services under the Developmental Disabilities Division for their developmental disability condition, they will maintain their
eligibility regardless of whether they have significant medical
and behavioral needs or have a dual diagnosis of a developmental
disability and mental illness; and

WHEREAS, people with developmental disabilities will be
actively involved in policy discussions and decisions and will
be respected as partners in the process, making informed choices
and decisions in order to support productive and fulfilling
lives; and

WHEREAS, families and guardians will be listened to and
respected, and the Developmental Disabilities Division will
strive to earn and keep their trust along with the trust of the
public; and

WHEREAS, home and community-based options will promote the
availability and usage of self-directed services; and

WHEREAS, public resources will be used effectively and
efficiently to help those served achieve their goals; and

WHEREAS, the integration of habilitation, social, and
clinical supports will be considered paramount when enhancing
and developing services throughout the delivery system; now,
therefore,

BE IT RESOLVED by the Senate of the Thirtieth Legislature
of the State of Hawaii, Regular Session of 2020, the House of
Representatives concurring, that the Department of Health's
Developmental Disabilities Division is requested to maintain the
integrity of chapter 333F, Hawaii Revised Statutes, to serve
individuals with developmental or intellectual disabilities
regardless of whether they have significant medical and
behavioral needs or a dual diagnosis of a developmental
disability and mental illness; and

BE IT FURTHER RESOLVED that the Developmental Disabilities
Division is requested to:

(1) Review the existing state statutory definition of
"developmental disabilities" in comparison to other
states and study the impacts of changing the
definition of "developmental disabilities";

(2) Discuss general eligibility issues relating to the
current statutory definition of "developmental
disabilities";

(3) Identify gap groups that are currently ineligible for
developmental disabilities services but are part of
the intellectual and developmental disabilities
population; and

(4) Determine strategies to meet the increasing needs of
the intellectual and developmental or physical
disabilities population, including but not limited to
identifying and engaging agencies that can address
such needs with a focus on identifying and attempting
to provide appropriate safety net processes or
services to as large a segment as feasible of the
identified gap groups; and

BE IT FURTHER RESOLVED that the Developmental Disabilities
Division is requested to submit a report of its findings and
recommendations, including any proposed legislation, to the
Legislature no later than twenty days prior to the convening of
the Regular Session of 2021; and

BE IT FURTHER RESOLVED that certified copies of this
Concurrent Resolution be transmitted to the Governor, Attorney
General, Director of Health, Director of Human Services,
Executive Director of the Hawaii State Council on Developmental
Disabilities, Executive Director of the Hawaii Disability Rights
Center, Acting Director of the University of Hawaii Center on
Disability Studies, and Executive Director of the National
Association of State Directors of Developmental Disabilities.

OFFERED BY: