SENATE CONCURRENT RESOLUTION

REQUESTING THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH TO CHANGE ITS ELIGIBILITY CRITERIA FOR THE HOME AND COMMUNITY-BASED SERVICES MEDICAID WAIVER FOR INDIVIDUALS HAVING INTELLECTUAL OR DEVELOPMENTAL DISABILITIES, OR MENTAL ILLNESSES.

WHEREAS, the Med-QUEST Division of the Department of Human Services works in partnership with the Developmental Disabilities Division of the Department of Health and stakeholders to design a waiver that meets the needs of Hawaii residents having intellectual and developmental disabilities; and

WHEREAS, both divisions ensure that the waiver is implemented in compliance with all waiver requirements, federal and state laws, and waiver standards; and

WHEREAS, individuals who are eligible for services from the Developmental Disabilities Division, are Medicaid eligible, and if they meet the level of care criteria, can apply for the Medicaid I/DD Waiver, otherwise known as the Home and Community-Based Services Medicaid waiver for Individuals with Intellectual and Developmental Disabilities; and

WHEREAS, under the current administrative rules of the Developmental Disabilities Division of the Department of Health, individuals are deemed ineligible for the Medicaid I/DD Waiver if their impairments are due to any of several specified conditions such as dementia, mental illness, emotional disorders, substance abuse, sensory impairment, learning disabilities, attention deficit hyperactivity disorder, spinal cord injuries, or neuromuscular disorders; and

WHEREAS, the current administrative rules unfairly deny eligibility to an individual who also has an eligible condition
such as cerebral palsy; epilepsy; autism spectrum disorder; or a neurological condition, central nervous system disorder, or chromosomal disorder that results in impairment in both general intellectual functioning and adaptive behavior; 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 Developmental Disabilities Division of the Department of Health is requested to change its eligibility criteria for the Home and Community-Based Services Medicaid Waiver for individuals with intellectual or developmental disabilities, or mental illnesses; and

BE IT FURTHER RESOLVED that the Director of Health is requested to submit a status report on its development of new eligibility criteria, 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 Director of Health, Administrator of the Division of Developmental Disabilities, Director of Human Services, and Administrator of the Med-QUEST Division.

OFFERED BY: Kurt Fevella
By Request