



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

February 26, 2019

TO: The Honorable Representative Sylvia Luke, Chair
House Committee on Finance

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 747 HD 1 – RELATING TO DISABLED PERSONS**

Hearing: Wednesday, February 27, 2019, 11:00 a.m.
Conference Room 308, State Capitol

DEPARTMENT’S POSITION: The Department of Human Services (DHS) appreciates the intent of this measure and provides comments in regard to Section 2 of the bill. As a state agency, DHS is an equal opportunity agency and supports the employment of individuals with disabilities in integrated settings.

PURPOSE: The purpose of the bill establishes employment first as a state policy with respect to disabled persons. The bill requires state and county agencies to implement this policy in hiring in all programs and services administered or funded by the State or counties. It applies employment first principles to Medicaid home- and community-based (HCBS) waiver programs.

The bill would amend Chapter 78, Hawaii Revised Statutes (HRS), by adding a new section that establishes three new definitions covering “employment first,” “integrated setting,” and “competitive employment,” as well as mandating that state and county agencies ensure that employment first is effectively implemented in hiring and in all programs and services that they administer or fund, including programs and services that help disabled persons obtain employment. The bill would also amend section 346D-4, HRS, by specifying that employment first principles be practiced by waiver program personnel

and in the hiring of staff by contracted agency providers that provide services under HCBS waiver programs.

Section 2 of the bill could be read that the new Section 346D-4(c) would mandate:

1. Either that DHS use employment first principles in the hiring of state employees that work on HCBS waiver programs, and that DHS place requirements in its contracts with providers so that the providers' hire staff in accordance with employment first principles; and/or
2. that state employees and DHS contractors that work on HCBS waiver programs apply employment first principles in the provision of employment services to Medicaid beneficiaries.

DHS notes that additional funding may be needed to carry out the requirements of Section 2 regardless of the reading. To effectuate the proposed section, further planning, resources, and training may be needed to support contractors in implementing employment first principles in working to provide services to Medicaid beneficiaries.

DHS supports the intent of the bill to expand employment opportunities for people with disabilities in competitive integrated employment, and is willing to work with Department of Health, Department of Human Resources Development, Department of Labor and Industrial Relations, the Legislature, and other stakeholders to achieve employment first policies for the state.

Thank you for the opportunity to provide comments on this measure.

HB-747-HD-1

Submitted on: 2/25/2019 1:43:43 PM

Testimony for FIN on 2/27/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Louis Erteschik	Hawaii Disability Rights Center	Support	No

Comments:



STATE OF HAWAII
STATE COUNCIL
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February 27, 2019

The Honorable Representative Sylvia Luke, Chair
House of Representatives Committee on Finance
Twenty-Ninth Legislature
State Capitol
State of Hawai'i
Honolulu, Hawai'i 96813

Dear Representative Sylvia Luke and Members of the Committee:

SUBJECT: HB 747 HD1 - Relating to Disabled Persons

The State Council on Developmental Disabilities **SUPPORTS HB 747 HD1**. The bill establishes employment first as a state policy with respect to disabled persons. Requires state and county agencies to implement this policy in hiring and all programs and services administered or funded by the State or counties. Applies employment first principles to Medicaid Home and Community Based Waiver programs.

This Home and Community Based Services (HCBS) Medicaid Waiver program started in 1983 when Hawaii created an opportunity for individuals to be supported in community settings with Medicaid funds. The program funded services for individuals to leave the institution and live in various community settings, provided services and supports for families and assisted individuals to participate in community activities.

One of the most utilized Waiver services for day activities is Adult Day Health (ADH) program. While the ADH program provides daily training and supervision, it represents a primarily center-based program with other individuals with disabilities. Once individuals are enrolled in ADH programs, there is minimal transition to employment.

Individuals with Intellectual and Developmental Disabilities (I/DD) have been under represented in the workforce due to perceptions about their ability to work, concern about the negative impact on government benefits and lack of transition support to work settings. The establishment of an employment first as a state policy would foster the expectation that individuals should work and contribute to their financial independence, encourages the employment of individuals with I/DD and provides employment services for individuals who want to work.

Thank you for the opportunity to submit testimony in **support of HB 747 HD1**.

Sincerely,

Daintry Bartoldus
Executive Administrator

HB-747-HD-1

Submitted on: 2/26/2019 10:10:50 AM

Testimony for FIN on 2/27/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Melodie Aduja	O`ahu County Committee on Legislative Priorities of the Democratic Party of Hawai`i	Support	No

Comments:

HB-747-HD-1

Submitted on: 2/26/2019 12:46:18 PM

Testimony for FIN on 2/27/2019 11:00:00 AM

Submitted By	Organization	Testifier Position	Present at Hearing
Dylan P. Armstrong	Individual	Support	No

Comments: