

DEVELOPMENTAL DISABILITIES RELATED MEASURES

ACTIONS AND POSITIONS TAKEN

DURING THE

TWENTY-FOURTH STATE LEGISLATURE

REGULAR SESSION OF 2007

Prepared by
Hawaii State Council on Developmental Disabilities
Staff

With Information From the
Legislative Reference Bureau Systems Office

July 2007

ACRONYMS/LEGEND

I. DEPARTMENTS

B&F	- Budget & Finance	DHS	- Department of Human Services
DAGS	- Department of Accounting & General Services	DLIR	- Department of Labor & Industrial Relations
DHRD	- Department of Human Resources Development	DOH	- Department of Health
		DOE	- Department of Education

II. LEGISLATIVE BILL/RESOLUTIONS

HB	- House Bill	SB	- Senate Bill
HCR	- House Concurrent Resolution	SCR	- Senate Concurrent Resolution
HR	- House Resolution	SR	- Senate Resolution

III. LEGISLATIVE COMMITTEES

HOUSE		SENATE	
AGR	- Agriculture	CPH	- Commerce, Consumer Protection & Affordable Housing
CPC	- Consumer Protection & Commerce	EDT	- Economic Development & Taxation
EDB	- Economic Development & Business Concerns	EDU	- Education
EDN	- Education	ENE	- Energy & Environment
EEP	- Energy & Environmental Protection	HSP	- Human Services and Public Housing
FIN	- Finance	HTH	- Health
HED	- Higher Education	IGM	- Intergovernmental & Military Affairs
HLT	- Health	JDL	- Judiciary and Labor
HSH	- Human Services & Housing	PBS	- Public Safety
INT	- International Affairs	TIA	- Transportation & International Affairs
JUD	- Judiciary	TSG	- Tourism & Government Operations
LAB	- Labor & Public Employment	WAH	- Water, Land, Agriculture & Hawaiian Affairs
LMG	- Legislative Management	WAM	- Ways & Means
PSM	- Public Safety & Military Affairs		
TAC	- Tourism & Culture		
TRN	- Transportation		
WLH	- Water, Land, Ocean Resources		

IV. LEGISLATIVE COMMITTEE REPORTS

HD	- House Draft	HSCR	- House Standing Committee Report
SD	- Senate Draft	SSCR	- Senate Standing Committee Report
CD	- Conference Draft	CCR	- Conference Committee Report

V. OTHER

FTE	- Full Time Equivalent	GOV	- Office of the Governor
FY	- Fiscal Year	HTH	- Department of Health
HRS	- Hawaii Revised Statutes	HMS	- Department of Human Services
ATG	- Department of the Attorney General	LBR	- Department of Labor & Industrial Relations
EDN	- Department of Education	N	- Other Federal Funds
A	- General Funds	T	- Trust Funds
B	- Special Funds	U	- Interdepartmental Transfers
C	- General Obligation Bond Fund		
BR	- By Request		

**LEGISLATIVE SESSION 2007
STATE BUDGET**

STATE BUDGET

HB 500 HD1 SD1 CD1 (CCR 93)

RELATING TO THE STATE BUDGET. (Say - BR)

Provide for operating and capital improvement appropriations and authorizations for agencies in the Executive Branch for the fiscal biennium 2007-2009. (HB 500 CD1)

A. DEVELOPMENTAL DISABILITIES COUNCIL (HTH 905) **

	FY 2007-2008	FY 2008-2009
Positions	1.50 *	1.50 *
Operating	99,021 A	99,021 A
	6.50 *	6.50 *
	462,315 N	462,315 N
Base Appropriations	8.00	8.00
	561,336	561,336
Total Budget Changes	83,814 A	110,830 A
Budget Totals	182,835 A	209,851 A
	<u>462,315 N</u>	<u>462,315 N</u>
	645,150	672,166

Supplemental Requests: (1) Add funds for other current expenses to continue the Donated Dental Services Program. (2) Add funds for other current expenses to support a statewide Self-advocacy Network. (3) Add funds for collective bargaining.

***Information taken from the Legislative Budget System Budget Worksheets for HB 500 HD1 SD1 CD1, pages 619 and 620.*

**LEGISLATIVE SESSION 2007
STATE BUDGET**

B. DEVELOPMENTAL DISABILITIES DIVISION (HTH 501) **

	FY 2007-2008	FY 2008-2009
Positions	235.75 *	235.75 *
Operating	55,878,587 A	55,878,587 A
	3.00 *	3.00 *
	1,008,662 B	1,008,662 B
	51,559,936 U	51,559,936 U
Base Appropriations	238.75 108,447,185	238.75 108,447,185
Total Budget Changes	1.00 10,697,939 A 16,669 B 8,558,196 U	1.00 13,413,318 A 16,669 B 12,239,470 U
Total Budget	239.75 66,576,526 A 1,025,331 B <u>60,118,132 U</u> 127,719,989	239.75 69,291,905 A 1,025,331 B <u>63,799,406 U</u> 134,116,642

Supplemental Requests: (1) Add funds for collective bargaining. (2) Add funds for other current expenses for Home and Community-Based Services and increase the Interdepartmental transfer funds ceiling for reimbursements received from the Department of Human Services for Developmental Disabilities – State match for the Title XIX program. (3) Add (1) position to reflect conversion from temporary to permanent to continue support for consumer-directed services for Developmental Disabilities – Program Supports, Case Management and Information Services Branch. (4) Add funds for other current expenses to reflect additional funding for Developmental Disabilities Domiciliary Homes for individuals for developmental disabilities – Purchase of Services. (5) Add funds for other current expenses to reflect consolidation from Case Management on Oahu, Hawaii, Maui, Kauai, and Quality Assurance to Developmental Disabilities – Purchase of Service.

***Information taken from the Legislative Budget System Budget Worksheets for HB 500 HD1 SD1 CD1, pages 526 to 535.*

**LEGISLATIVE SESSION 2007
SENATE BILLS PASSED**

1. SB 55 SD1 HD2 (HSCR 1778)

RELATING TO DENTISTRY. (Taniguchi)

Amends provisions relating to American board of dental examiners examinations; regional examinations. (SB 55 HD2)

Committee Reports: SSCR 685 (CPH) HSCR 1311 (HLT) HSCR 1778 (CPC)

Current Status: May-16 07 Approved by Governor (**Act 72 2007**)

Section Affected: 448-9.4

2. SB 98 SD1 HD1 (HSCR 1830)

RELATING TO EDUCATION. (Sakamoto, Tokuda)

Establishes provisions relating to the school health services program within the department of education. Authorizes the department, in cooperation with the department of health, to establish a statewide teenage health program. Authorizes school health aides to administer oral and topical medication. Provides that full time school health aides employed by the department in accordance with civil service and collective bargaining agreements. Amends Act 51, session laws of 2004, as amended by Act 225, session laws of 2006, by repealing the transfer of public health nurses who supervise school health aides from the department of health to the department of education. Repeals school health services program from the department of health. Requires the department of education to provide career pathways development and training opportunities to all school health aides to ensure the opportunity for continued employment with the department. (SB 98 HD1)

Committee Reports: SSCR 737 (EDU) HSCR 1325 (EDN/ HLT/ LAB/) HSCR 1830 (FIN)

Current Status: May-29 07 Approved by the Governor (**Act 105 2007**)

Section Affected: 302A- (5 SECTIONS) SCHOOL HEALTH SERVICES PROGRAM, ACT 51 2004, ACT 221 2004, ACT 22 2005, ACT 225 2006, 321-241, 321-241.5, 321-242, 321-245, 321-246

3. SB 667 SD3 HD2 CD1 (CCR 13)

RELATING TO MENTAL HEALTH COUNSELORS. (Baker, Chun Oakland)

Amends provisions relating to an application for licensure as a mental health counselor. Provides that for an applicant who graduated from an accredited program before July 1, 2007, the department of commerce and consumer affairs shall accept, for practicum intern experience, written certification from an official of the institution of higher education attesting that the applicant has completed the required academic terms, graduate credit hour, and supervised client contact hours, and completion of practicum intern experience is equivalent to a mental health graduate level practicum program; and to accept for post graduate experience, written certification from an officer of the employing agency and the clinical supervisor attesting that the applicant has completed the hours of experience and supervision and that the completion of postgraduate experience is equivalent to the practice of mental health counseling. (SB 667 CD1)

Committee Reports: SSCR 102 (HTH) SSCR 957 (CPH) - filed FLOOR AMENDMENT 5 HSCR 1302 (HLT) HSCR 1817 (CPC) CCR 13

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SENATE BILLS PASSED

Current Status: July-05 07 Approved by the Governor (**Act 252 2007**)
Section Affected: 453D-7

- 4. SB 810 SD2 HD1 CD1 (CCR 122)**
RELATING TO WAIMANO RIDGE. (Ige, Chun Oakland, Sakamoto, Nishihara)
Appropriation to the department of health for the Waimano ridge task force operating expenses. (\$\$) (SB 810 CD1)

Committee Reports: SSCR 97 (HTH) SSCR 770 (WAM) HSCR 1240 (HLT) HSCR 1862 (FIN) CCR 122

Current Status: July-10 07 Became Law Without Governor's Signature (**Act 293 2007**)

- 5. SB 820 SD1 (SSCR 919)**
RELATING TO DEVELOPMENTAL DISABILITIES. (Ige, Chun Oakland, Sakamoto, Baker)
Requires the department of health, state council on developmental disabilities to submit a report to the legislature on the number of persons with developmental disabilities or mental retardation who choose to live independently and the financial impact of Act 303, session laws of 2006. Amends Act 303, session laws of 2006, by extending the sunset date to June 30, 2009. (SB 820 SD1)

Committee Reports: SSCR 415 (HTH/ HSP/) SSCR 919 (WAM) HSCR 1379 (HLT) HSCR 1827 (FIN)

Current Status: Apr-25 07 Became Law Without Governor's Signature (**Act 40 2007**)
Section Affected: ACT 303 2006, 333F-2

- 6. SB 1182 SD2 HD1 CD1 (CCR 39)**
RELATING TO NEEDS ALLOWANCE. (Chun Oakland, Ihara, Espero, Baker)
Establishes provisions relating to needs allowance; waiver program individuals. Requires the department of human services to pay the monthly needs allowance for clothing and other personal miscellaneous needs such as bus fare, personal postage costs, haircuts, and other costs of day to day living for individuals living in adult residential care home (ARCH) type I and type II facilities, licensed developmental disabilities domiciliary homes, community care foster family homes, certified adult foster homes, domiciliary care, nursing facility, or community based residence as part of the residential alternative community care program. Appropriation. (\$\$) (SB 1182 CD1)

Committee Reports: SSCR 130 (HSP) SSCR 359 (EDT) SSCR 989 (WAM) HSCR 1345 (HLT/ HSH/) HSCR 1935 (FIN) CCR 39

Current Status: May-24 07 Approved by the Governor (**Act 96 2007**)
Section Affected: 346D- (1 SECTION) NEEDS ALLOWANCE

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SENATE BILLS PASSED**

7. SB 1400 SD2 HD3 CD1 (CCR 32)

RELATING TO FINANCIAL ABUSE. (Hanabusa - BR)

Establishes provisions relating to mandatory reporting of suspected financial abuse of an elder. Requires financial institution to report suspected financial abuse that is directed towards, targets, or is committed against an elder to the department of human services immediately by telephone and by written report sent within 5 business days. Requires that the department to determine whether it has jurisdiction over the elder involved; and if not, to notify the financial institution, which shall then notify the proper local law enforcement agency within 3 business days. (SB 1400 CD1)

Committee Reports: SSCR 606 (HSP) SSCR 858 (CPH/ JDL/) HSCR 1271 (HSH)
HSCR 1440 (CPC) HSCR 1901 (JUD) CCR 32

Current Status: May-24 07 Approved by the Governor (**Act 94 2007**)

Section Affected: 412: - (1 SECTION) MANDATORY REPORTING OF SUSPECTED FINANCIAL ABUSE OF AN ELDER

8. SB 1457 SD2 HD2 (HSCR 1906)

MAKING AN EMERGENCY APPROPRIATION FOR THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH. (Hanabusa - BR)

Appropriation to the department of health out of general revenues (\$4,980,523) and out of the interdepartmental transfer fund (\$4,111,237) for the Medicaid title XIX programs, which include the developmental disabilities or mentally retarded home and community based services and the Medicaid state plan intermediate care facilities for the mentally retarded in the community program. (\$\$) (SB 1457 HD2)

Committee Reports: SSCR 404 (HTH) SSCR 764 (WAM) HSCR 1307 (HLT) HSCR 1906 (FIN)

Current Status: May-01 07 Approved by Governor (**Act 51 2007**)

9. SB 1459 SD1 (SSCR 987)

MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES. (Hanabusa - BR)

Appropriation to the department of health for additional funds (\$4,419,644) to address expenses related to early intervention services. (\$\$) (SB 1459 SD1)

Committee Reports: SSCR 406 (HTH) SSCR 987 (WAM) HSCR 1309 (HLT) HSCR 1872 (FIN)

Current Status: Apr-23 07 Approved by Governor (**Act 32 2007**)

10. SB 1672 SD2 HD3 CD1 (CCR 117)

RELATING TO HEALTH. (Ige, Baker, Chun Oakland, Fukunaga)

Appropriation to the department of human services to increase moneys paid out for physician services for the care of Medicaid eligible persons, including fee for service and QUEST physician services. Requires the sum to be equitably distributed between Medicaid fee for service physician services and health plans that provide QUEST physician services and the

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increased moneys shall not exceed 100 per cent of the current medicare fee schedule applicable to Hawaii. Reports to the legislature. (§§) (SB 1672 CD1)

Committee Reports: SSCR 389 (HSP) SSCR 777 (WAM) HSCR 1249 (HSH/ HLT/)
HSCR 1456 (JUD) HSCR 1839 (FIN) CCR 117

Current Status: July-10 07 Became Law Without the Governor's Signature (**Act 284 2007**)

11. SB 1916 SD2 HD3 CD1 (CCR 116)

RELATING TO CAREGIVING. (Ihara, Chun Oakland, Baker, Tokuda, Hanabusa, Hooser, Tsutsui S, Sakamoto, Espero, Kokubun, English, Fukunaga, Bunda, Nishihara, Ige, Hee, Taniguchi)

Amends Act 285, session laws of 2006, relating to family caregiver support system. Defines family caregiver to mean a person, including a non-relative such as a friend or neighbor who provides unpaid, informal assistance to a person age 60 and older with physical or cognitive disabilities; and a grandparent who is a caregiver for a grandchild who is age 18 years or younger or who is 19 years of age or older with physical or cognitive limitations. Adds that the joint legislative committee on family care giving to explore establishing a paid family leave program under the state temporary disability insurance law to provide wage replacement benefits to employees who take time off from work to care for a seriously ill member. Report to the legislature. Extends the joint legislative committee to June 30, 2008 (sunset). Requires the joint legislative committee on family care giving to conduct a comprehensive assessment of the needs of care recipients who are age 60 and older with physical or cognitive disabilities and the needs of their family caregivers. Requires the joint legislative committee on family care giving to submit a report including the completed needs assessment and any proposed legislation to the legislature. Appropriation to Senate and the House of Representatives for the joint legislative committee on family care giving to contract qualified consultant to conduct a comprehensive needs assessment. Requires that the executive office on aging or its consultant to conduct an assessment of the issues facing, and needs of grandparents raising children in Hawaii. Report to the joint legislative committee on family care giving by November 7, 2007 (sunset). Appropriation to support the continuous development of the aging and disability resource center program in Hawaii. Appropriation to expand the kupuna care services programs in home and access services to qualified care recipients and for direct services to family caregivers. Requires the executive office on aging to research the cash and counseling program and its implementation in other states. Report to the joint legislative committee on family care giving an interim report of its research and prepare a cost benefits analysis by November 1, 2007 (sunset). (§§) (SB 1916 CD1)

Committee Reports: SSCR 391 (HSP) SSCR 776 (WAM) HSCR 1279 (HLT/ HSH/)
HSCR 1474 (LMG) HSCR 1931 (FIN) CCR 116

Current Status: June-21 07 Approved by the Governor (**Act 204 2007**)

Section Affected: ACT 285 2006

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1. HB 71 HD2 SD2 CD1 (CCR 56)

RELATING TO NURSE AIDES. (Herkes)

Establishes provisions relating to enforcement; certified nurse aides. Requires the department of health to adopt rules as related to investigation and actions taken against certified nurse aides. Establishes provisions relating to certified nurse aides; training programs and re-certification. Requires the director of human services to approve training programs for nurse aides; approve and arrange for re-certification examinations for nurse aides who work in Medicare or Medicaid certified nursing facilities and approve the re-certification process for nurse aides who work in state licensed or state certified health care settings. Establishes provisions relating to certified nurse aides; enforcement. Requires the department to investigate allegations of abuse, neglect, and misappropriation of an individual's property by certified nurse aides and provides as a result of investigative findings take action against a certified nurse aide. Prohibits represent, imply, or use the abbreviation CNA (certified nurse aide) to represent one's self as a certified nurse aide (CNA) without 1st obtaining certification. Establishes provisions relating to Medicare or Medicaid nurse aides certification. Requires an applicant to successfully complete state approved nurse aide certification training program and examination approved by the director to be certified. Provides reciprocity granted to nurse aides who have completed a state approved program that meets both federal and state requirements. Requires certified nurse aide biennial re-certification requirements including in service training employed in a Medicare or Medicaid certified nursing facility. Requires the director of human services to approve training programs for nurse aides and ensure that they comply with all applicable federal and state requirements, maintain requirements for re-certification on a biennial basis, including employment in a Medicare / Medicaid facility as required by federal and state law. Prohibits charge imposed to nurse aides for the maintenance of the nurse aide registry. Requires nurse aides who work in Medicare / Medicaid certified nursing facilities, and who holds a valid certificate to practice as a certified nurse aide in this state may use the title CNA. Establishes provisions relating to nurse aide certification for state licensed or state certified health care settings. Requires that certification of nurse aides working in state licensed and state certified health settings other than a Medicare / Medicaid certified nursing facility, applicants for certification to successfully complete training program approved by the department of human services and a nurse aide examination approved by the director, impose fee for service. Provides for reciprocity and biennial re-certification. Amends provisions relating to findings and purpose for nurse law. Provides the legislature recognizes that nurse aides who work in State licensed or State certified health care settings should be certified for the purpose of consumer safety and held to similar standards of competency and evaluation appropriate for these facilities. Amends provisions relating to implementation. Requires the director of health to implement the provisions that relate to the disciplining of certified nurse aides; the director of human services to implement the provisions that relate to training programs for nurse aides and re-certification, and to disciplining of nurse aides employed in health care settings licensed or certified by the department of human services; and the director of commerce and consumer affairs to implement regulation provisions of nurses in accordance with 42 US Code sections 1395 3 and 1396r. (HB 71 CD1)

Committee Reports: HSCR 729 (HLT/ HSH/) HSCR 994 (CPC) SSCR 1080 (HSP/

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HTH/) SSCR 1659 (CPH) CCR 56

Current Status: June-28 07 Approved by the Governor (**Act 226 2007**)

Section Affected: 321- (1 SECTION), 346- (2 SECTIONS), 457A- (4 SECTIONS),
457A-1, 457A-2, 457A-3

2. HB 277 HD1 SD2 (SSCR 1566)

RELATING TO FEES FOR WINDSHIELD PLACARDS FOR PERSONS WITH DISABILITIES. (Souki)

Amends provisions relating to fees for windshield placards for persons with disabilities. Requires all fees collected by the counties for issuing removable and temporary removable windshield placards be deposited into the general fund of the state. (HB 277 SD2)

Committee Reports: HSCR 594 (TRN) HSCR 936 (FIN) SSCR 1185 (IGM/ TIA/) SSCR 1566 (WAM)

Current Status: May-18 07 Approved by the Governor (**Act 77 2007**)

Section Affected: 291-51.3, 291-51.6, 291-52.6

3. HB 426 HD2 (HSCR 1056)

RELATING TO PSYCHOTROPIC MEDICATION. (Lee, Takai, Cabanilla, Morita, Mizuno, Green)

Amends provisions relating to psychotropic medication. Allows advanced practice registered nurses with prescriptive authority duly licensed in the state to prescribe psychotropic medications. Requires that the department of human services to annually report to the legislature the number of prescriptions written, cost and impact of psychiatrists, physicians, or advanced practice nurses prescribing medications that are not part of the existing formulary and the overall utilization of psychotropic medication. Amends Act 239, session laws of 2005. (HB 426 HD2)

Committee Reports: HSCR 337 (HSH/ HLT/) HSCR 1056 (FIN) SSCR 1163 (HTH/ HSP/) SSCR 1665 (CPH)

Current Status: Apr-25 07 Approved by Governor (**Act 39 2007**)

Section Affected: 346-59.9, ACT 239 2005, ACT 311 2006

4. HB 500 HD1 SD1 CD1 (CCR 93)

RELATING TO THE STATE BUDGET. (Say -BR)

General Appropriations Act of 2007 (state budget). Appropriation for general operating and capital improvement funds for the support of state government operations over the 2007 - 2009 fiscal biennium. Authorizes the issuance of general obligation bonds. (\$\$) (HB 500 CD1)

Committee Reports: HSCR 1215 (FIN) SSCR 1586 (WAM) CCR 93

Current Status: June-27 07 Approved by the Governor (**Act 213 2007**)

Section Affected: ACT 178 2005, ACT 160 2006, ACT 316 1989, ACT 299 1990,

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ACT 289 1993, ACT 252 1994, ACT 218 1995, ACT 287 1996, ACT 328 1997, ACT 116 1998, ACT 91 1999, ACT 281 2000, ACT 259 2001, ACT 177 2002, ACT 200 2003, ACT 41 2004, (1 SECTION)

5. HB 531 HD3 SD2 CD1 (CCR 135)

RELATING TO CHILDREN. (Mizuno, Marumoto, Thielen, Evans, Pine, Awana, Shimabukuro, Meyer, Ching, Manahan)

Establishes a Hawaii three to five transition task force and provides a mechanism to study the feasibility of expanding Hawaii's early intervention section to continue services for children three to five years of age. Requires the department of health to convene the task force.

Requires both the department of health and education to provide staff to support the task force. Report to the legislature. Requires the University of Hawaii center on disability studies to serve as the advisory committee facilitator and to provide the necessary research, as well as conduct the needs assessment for the feasibility study. Report to the legislature. Requires the task force to cease to exist upon the adjournment sine die of the 2008 regular session (sunset). Appropriation. (\$\$) (HB 531 CD1)

Committee Reports: HSCR 169 (HSH/ HLT/) HSCR 614 (EDN) HSCR 1119 (FIN)
SSCR 1165 (HTH/ HSP/) SSCR 1643 (WAM) CCR 135

Current Status: July-10 07 Became Law Without the Governor's Signature (**Act 289 2007**)

6. HB 807 HD1 SD2 CD1 (CCR 158)

RELATING TO CAREGIVING. (Mizuno, Thielen, Awana, Meyer, Sonson, Ching, Pine, Finnegan, Hanohano, Carroll, Ward)

Establishes provisions relating to willful interference; prohibited. Prohibits any individual including any long-term care facility or long-term care facility employee, who willfully interferes with or impedes the long-term care ombudsman or designee in the performance or duties shall be guilty of a misdemeanor. Establishes provisions relating to posting and distribution of information. Requires that the long-term care ombudsman to provide brochures and a poster with information regarding the office of the long-term care ombudsman's name, address and telephone number and a brief description of services to each long-term care facility. Establishes the office of the long-term care ombudsman within the executive office on aging to protect the health, safety, welfare, and rights of residents of long-term care facilities in accordance with state and federal law. Requires the office to be headed by the long-term care ombudsman. Amends access to long-term care facilities. Requires long-term care facility that receives public funds to permit immediate access to the long-term facility and to the residents of the long-term care facility to the long-term care ombudsman or designee at any time deemed necessary and reasonable by the long-term care ombudsman. Prohibits retaliatory acts by facilities or facility employees for any person seeking advocacy assistance as provided for or making a complaint concerning a long-term care facility or any of its employees on behalf of a resident of a long-term care facility to be subject to any retaliatory act by the long-term care facility or any of its employees for seeking advocacy assistance or making a complaint and requires that a violation be reported by the long-term care ombudsman. (HB 807 CD1)

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Committee Reports: HSCR 730 (HLT/ HSH/) HSCR 1026 (FIN) SSCR 1285 (HSP)
SSCR 1593 (WAM) CCR 158

Current Status: May-24 07 Approved by the Governor (**Act 93 2007**)

Section Affected: 349- (2 SECTIONS), 349-12, 349-13, 349-14

7. HB 833 HD2 SD2 CD1 (CCR 142)

RELATING TO EMPLOYMENT. (Sonson, Cabanilla, Karamatsu)

Amends provision relating to the worker's compensation law, temporary disability insurance law, prepaid health care act, and Hawaii employment security law. Defines recipient of social service payment to mean person who is an eligible recipient of social services such as attendant care and day care services and a corporations and private agencies that contracts directly with the department of human services to provide attendant care and day care authorized under the social security act. Provides that employment shall not include domestic in home and community-based services for persons with developmental disabilities and mental retardation under the Medicaid home and community-based services program authorized by the department of human services under the social security act, performed by an individual in the employ of recipient of social service payments. Requires the department of labor and industrial relations to submit a report to the legislature on the financial impact and consequences of the exclusions from the employment related laws established under this act for service providers who provide Medicaid home and community-based services for persons with developmental disabilities and mental retardation. Report to the legislature. (HB 833 CD1)

Committee Reports: HSCR 138 (LAB/ HSH/) HSCR 1163 (FIN) SSCR 1282 (HSP)
SSCR 1668 (JDL) CCR 142

Current Status: July-06 07 Approved by the Governor (**Act 259 2007**)

Section Affected: 383-1, 386-1, 392-3, 393-3, 383-7, 392-5, 393-5

8. HB 928 HD1 SD2 CD2 (SENATE FLOOR AMENDMENT 29 OR HOUSE FLOOR AMENDMENT 15)

RELATING TO SOCIAL SERVICES. (Shimabukuro)

Amends provisions relating to applications for public assistance; manner, form, conditions. Exempts persons eligible for federal supplemental security income benefits aid to the aged, blind or disabled, or general assistance to households without minors and not consider as income or resources any funds deposited into a family self sufficiency escrow account on behalf of a participant under a federal housing choice voucher family self sufficiency program as required or allowed under federal law. Requires the department of human services to disregard income or resources any funds deposited into a family self sufficiency escrow account on behalf of a participant under a federal housing choice voucher family self sufficiency program as required or allowed under federal law. Appropriation for the Hawaii public housing authority to increase outreach to increase enrollment in the section 8 homeownership option and the housing choice voucher family self-sufficiency programs; increase administrative support for the programs, provide matching grants or loan forgiveness to section 8 homeownership option program participants to help with down payments, and provide additional state matches to housing choice voucher family self

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sufficiency program participants to help participants build homeownership savings. Amends provisions relating to determination of amount of assistance. Increases the state supplemental payment for adult residential care home classified as facility type I, licensed developmental disabilities domiciliary homes, community care foster family homes and certified adult foster homes to not exceed 641 dollars and 90 cents and for adult residential care homes classified as a facility type II not exceed 749 dollars and 90 cents. Adds that the state supplemental payment for skilled nursing facilities and intermediate facilities shall not exceed 20 dollars. (\$\$) (HB 928 CD2)

Committee Reports: HSCR 29 (HSH) HSCR 899 (FIN) SSCR 1273 (HSP) SSCR 1514 (WAM) - filed FLOOR AMENDMENT 10 CCR 96 - filed SENATE FLOOR AMENDMENT 29 HOUSE FLOOR AMENDMENT 15
Current Status: June-30 07 Approved by the Governor (**Act 237 2007**)
Section Affected: 346-29, 346-53

9. HB 1008 HD2 SD2 CD1 (CCR 200)

RELATING TO CHILDREN'S HEALTH CARE. (Green, McKelvey, Hanohano, Berg, Takai, Tokioka, Shimabukuro, Mizuno, Souki, Yamashita, Brower, Belatti, Tsuji, Oshiro B, Caldwell, Yamane, Magaoay, Herkes, Morita, Manahan, Nishimoto, Takumi, Waters, Evans, Chong, Say, Rhoads, Karamatsu, Cabanilla, Luke, Lee, Ito, Wakai, Oshiro M, Carroll)

Establishes the Hawaii infant health care program as a temporary three-year pilot program to provide continuous, quality health care services to uninsured newborn children who are one day, but not more than 30 days of age, up to 10,000 dollars of health care assistance per eligible child, subject to the appropriation of general funds for the program. Requires the department of human services or its designated contractor to directly reimburse any health care provider or managed care plan providing the services to infants under the a Hawaii infant health care program. Authorizes that the department to contract with an appropriate entity to provide these services. Report to the legislature. Establishes that the Hawaii children's health care program as a temporary three-year pilot program to provide health care coverage to uninsured children who live in Hawaii. Requires the department of human services to provide health care coverage through a public private partnership, established as a contract to provide health and human services to one or more managed care plans in the state, that offers accidental health or sickness insurance plans. Provides that a child must be at least 31 days to less than 19 years old, have been uninsured continually for at least six months and have been ineligible during the six months the child was uninsured for any other state or federal health care coverage and be currently ineligible for any other state or federal health care coverage. Provides the department and the managed care plans shall share equally in the cost of the premium for each child enrolled in the program. Report to the department and legislature. Amends medical assistance to other children. Requires the department to provide state funded medical assistance free of charge to persons 19 years of age or younger whose family income is at or below 300 percent of the federal poverty level for Hawaii and to children 19 years or younger whose family income is at or above 250 per cent and does not exceed 300 per cent of the federal poverty level for Hawaii and who are otherwise eligible

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for Quest Net benefits. Appropriations. Act to be repealed on June 30, 2010 (sunset). (\$\$)
(HB 1008 CD1)

Committee Reports: HSCR 224 (HLT/ HSH/) HSCR 1030 (FIN) SSCR 1281 (HSP/
HTH/) SSCR 1641 (WAM) CCR 200

Current Status: June-30 07 Approved by the Governor (**Act 236 2007**)

Section Affected: 346-59.4

10. HB 1370 HD1 SD1 CD1 (CCR 58)

**MAKING AN EMERGENCY APPROPRIATION TO THE DEPARTMENT OF
HEALTH FOR THE ADULT MENTAL HEALTH DIVISION. (Say - BR)**

Appropriation of \$8,377,698 to the department of health for ongoing services provided by the
adult mental health division. (\$\$) (HB 1370 CD1)

Committee Reports: HSCR 318 (HLT) HSCR 1031 (FIN) SSCR 1172 (HTH) SSCR 1509
(WAM) CCR 58

Current Status: May-10 07 Approved by the Governor (**Act 66 2007**)

**LEGISLATIVE SESSION 2007
SENATE CONCURRENT RESOLUTIONS ADOPTED**

- 1. SCR 17 (HSCR 2134)
URGING THE DEPARTMENT OF EDUCATION TO STUDY THE EDUCATIONAL IMPLICATIONS OF THE SPECIAL NEEDS OF PRESCHOOL AGE CHILDREN WITH DEVELOPMENTAL DISABILITIES. (Chun Oakland, Sakamoto, Baker, Tsutsui, English)**

Committee Reports: SSCR 1776 (HSP/ EDU/) HSCR 2134 (HLT/ EDN/)

- 2. SCR 57 SD1 (SSCR 1735)
REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AMENDMENTS TO THE NO CHILD LEFT BEHIND ACT OF 2001. (Sakamoto)**

Committee Reports: SSCR 1735 (EDU/ IGM/) HSCR 2099 (EDN)

- 3. SCR 198 (HSCR 2109)
REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO EXAMINE THE PROBLEM OF PATIENTS IN ACUTE CARE HOSPITALS WAITLISTED FOR LONG-TERM CARE AND TO PROPOSE SOLUTIONS. (Ige, Tsutsui, Baker, Tokuda, English)**

Committee Reports: SSCR 1788 (HTH/ HSP/) HSCR 2109 (HLT/ HSH/)

**LEGISLATIVE SESSION 2007
HOUSE CONCURRENT RESOLUTIONS ADOPTED**

- 1. HCR 140 HD1 (HSCR 1576)
REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO COLLECT DATA AND REPORT STATISTICS RELATED TO CASES OF ABUSE OF VULNERABLE ADULTS. (Mizuno, Rhoads)**

Committee Reports: HSCR 1576 (HSH) SSCR 1962 (HSP)

- 2. HCR 187 HD1 (HSCR 1757)
REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RESPITE CARE POLICIES AND PROGRAMS IN OTHER STATES AND THE EXECUTIVE OFFICE ON AGING TO CONDUCT AN INVENTORY OF RESPITE CARE SERVICES IN HAWAII. (Mizuno, Evans, Carroll, Hanohano)**

Committee Reports: HSCR 1757 (HSH/ HLT/) HSCR 2061 (LMG)

- 3. HCR 188 HD2 (HSCR 2066)
REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY OTHER STATES' ADULT PROTECTIVE SERVICES AND COMPARE THEM TO HAWAII'S ADULT PROTECTIVE SERVICES. (Mizuno, Evans, Carroll, Sonson)**

Committee Reports: HSCR 1748 (HSH) HSCR 2066 (LMG)

**LEGISLATIVE SESSION 2007
SENATE RESOLUTIONS ADOPTED**

- 1. SR 33 SD1 (SSCR 1736)
REQUESTING THE UNITED STATES CONGRESS TO PROPOSE AMENDMENTS TO THE NO CHILD LEFT BEHIND ACT OF 2001. (Sakamoto)**

Committee Reports: SSCR 1736 (EDU/ IGM/)

- 2. SR 34 URGING THE CIVIL DEFENSE DIVISION OF THE STATE DEPARTMENT OF DEFENSE TO DESIGNATE A LEAD STAFF TO ADDRESS THE NEEDS OF INDIVIDUALS WITH DISABILITIES AND SPECIAL HEALTH NEEDS. (Inouye, Sakamoto, Tsutsui, Chun Oakland, Hooser, Tokuda, English, Nishihara)**

Committee Reports: SSCR 1349 (IGM/ HTH/)

- 3. SR 98 SD1 (SSCR 1406)
REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO REPORT TO THE LEGISLATURE REGARDING WHAT IMPACT A CASH AND COUNSELING PROGRAM WOULD HAVE ON MEDICAID AND ADULT SERVICES PROGRAMS. (Ihara, Chun Oakland, Baker)**

Committee Reports: SSCR 1406 (HSP) SSCR 1802 (WAM)

- 4. SR 125 SD1 (SSCR 1784)
REQUESTING THE DEPARTMENT OF HEALTH TO CONVENE A WORKING GROUP TO STUDY THE DEVELOPMENT OF ADULT RESIDENTIAL CARE HOMES IN RESIDENTIAL NEIGHBORHOODS IN MANOA. (Taniguchi)**

Committee Reports: SSCR 1784 (HSP)

- 5. SR 138 SD1 (SSCR 1725)
REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO CONVENE A TASK FORCE TO REVIEW POLICIES FOR STATE FUNDED PROGRAMS AND SERVICES ON THE USE OF RESTRAINTS AND SECLUSION ON ADULTS AND CHILDREN IN INSTITUTIONAL AND NONINSTITUTIONAL SETTINGS. (Chun Oakland)**

Committee Reports: SSCR 1725 (HTH/ HSP/ PBS/)

- 6. SR 143 (SSCR 1795)
REQUESTING THE DEPARTMENTS OF HEALTH AND HUMAN SERVICES TO COLLABORATE AND APPLY FOR A FEDERAL TRAUMATIC BRAIN INJURY WAIVER. (Chun Oakland)**

Committee Reports: SSCR 1795 (HTH/ HSP/)

**LEGISLATIVE SESSION 2006
HOUSE RESOLUTIONS ADOPTED**

- 1. HR 49 HD1 (HSCR 1607)
REQUESTING THE HEALTHCARE ASSOCIATION OF HAWAII TO EXAMINE
THE PROBLEM OF PATIENTS IN ACUTE CARE HOSPITALS WAITLISTED
FOR LONG-TERM CARE AND TO PROPOSE SOLUTIONS. (Mizuno, Green,
Awana, Belatti)**

Committee Reports: HSCR 1607 (HLT/ HSH/)

- 2. HR 113 HD1 (HSCR 1575)
REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO COLLECT DATA
AND REPORT STATISTICS RELATED TO CASES OF ABUSE OF VULNERABLE
ADULTS. (Mizuno, Rhoads)**

Committee Reports: HSCR 1575 (HSH)

**LEGISLATIVE SESSION 2007
GOVERNOR'S MESSAGES**

STATE DEPARTMENTS

1. GM 267 (SSCR 1896)

State Attorney General: MARK J. BENNETT, for a term to expire Dec-06 2010.

Current Status: Apr-23 07 Confirmed by the Senate

2. GM 273 (SSCR 1906)

Department of Health Director: CHIYOME L. FUKINO, M.D., for a term to expire Dec-06 2010.

Current Status: Apr-25 07 Confirmed by the Senate

3. GM 275 (SSCR 1855)

Department of Human Services Director: LILLIAN B. KOLLER, for a term to expire Dec-06 2010.

Current Status: Apr-18 07 Confirmed by the Senate

STATE COUNCIL ON DEVELOPMENTAL DISABILITIES

4. GM 320 (SSCR 1947)

MARGARET MARY BAXTER, for a term to expire Jun-30 2011.

Current Status: Apr-27 07 Confirmed by the Senate

5. GM 321 (SSCR 1947)

PAUL K. HIGA, for a term to expire Jun-30 2011.

Current Status: Apr-27 07 Confirmed by the Senate

6. GM 322 (SSCR 1947)

CHARLOTTE HAUNANI LOSA KAMAUOHA, for a term to expire Jun-30 2011.

Current Status: Apr-27 07 Confirmed by the Senate

7. GM 323 (SSCR 1947)

BERNADETTE LUCY KELIAA, for a term to expire Jun-30 2011.

Current Status: Apr-27-07 Confirmed by the Senate

8. GM 324 (SSCR 1947)

DEBORAH JEANE RIVERS, for a term to expire Jun-30 2011.

Current Status: Apr-27 07 Confirmed by the Senate

**LEGISLATIVE SESSION 2007
GOVERNOR'S MESSAGES**

9. GM 325 (SSCR 1947)

PAUL S. VARGAS JR., for a term to expire Jun-30 2011.

Current Status: Apr-27 07 Confirmed by the Senate

10. GM 573 (SSCR 1925)

JOE D. CORDOVA, for a term to expire Jun-30 2011.

Current Status: Apr-26 07 Confirmed by the Senate

11. GM 574 (SSCR 1925)

ROSELANI MANUWAI-ROWE, for a term to expire Jun-30 2011.

Current Status: Apr-26 07 Confirmed by the Senate

**LEGISLATIVE SESSION 2007
FAILED MEASURES - BILLS**

1. SB 240 SD1 (SSCR 96)

2. HB 203 (HSCR 11)

RELATING TO NEUROTRAUMA.

Allows money from the neurotrauma special fund to be used for direct services to individuals with neurotrauma; requires the department of human services to apply for a federal waiver for the use of moneys from the fund. (SB 240 SD1)

Status: SB 240 Senate HTH passed with amendments. No hearing by Senate WAM.
HB 203 House HSH passed without amendments. No hearing by House HLT.

3. SB 241 SD1 (SSCR 417)

4. HB 386

5. HB 1599 (HSCR 670)

RELATING TO COMMUNITY PLACEMENT.

Directs the departments of health and human services to maintain an inventory of all facilities licensed or certified under their jurisdiction and their vacancies to facilitate the placement of individuals in community-based facilities. (SB 241 SD1)

Status: SB 241 Senate HTH/HSP passed with amendments. No hearing by Senate WAM.
HB 386 No hearing by House HLT/HSB.
HB 1599 House HLT/HSB passed without amendments. No hearing by House FIN.

6. SB 242 SD1 (SSCR 377)

7. HB 325 HD2 SD2 (SSCR 1562)

RELATING TO DENTAL CARE.

Expands coverage under the State's Medicaid and QUEST programs to include comprehensive dental care for adults and appropriates funds to provide the additional coverage. Establishes a pilot program in the county of Hawaii relating to hospital dentistry for the developmentally disabled community and appropriates funds. Establishes a task force. (HB 325 SD2)

Status: SB 242 Senate HSP/HTH passed with amendments. No hearing by Senate WAM.
HB 325 No agreement by House and Senate Conference Committee.

8. SB 255 SD1 (SSCR 614)

MAKING AN APPROPRIATION FOR EARLY INTERVENTION SERVICES.

Requires the department of education to design and implement an early intervention services pilot program for eligible children with Down syndrome; appropriates funds for the pilot program; sunset date. (SD1)

Status: Senate HSP passed with amendments. No hearing by Senate WAM.

**LEGISLATIVE SESSION 2007
FAILED MEASURES - BILLS**

9. SB 426 SD2 (SSCR 609) (Previously a short form bill.)

RELATING TO HUMAN SERVICES.

Appropriates funds for a statewide interpreter referral service for public and private agencies and for persons who are deaf, hard-of-hearing, or deaf-blind. (SD2)

Status: Senate HSP passed with amendments. No hearing by Senate WAM.

10. SB 606 SD1 (SSCR 432)

11. HB 1504 HD1 (HSCR 353)

RELATING TO THE BLIND PERSONS' AND LITERACY RIGHTS AND EDUCATION ACT.

Assures individualized education programs for blind or visually impaired children including provisions for instruction in Braille. Establishes standards of proficiency and instruction. Provides materials in a computer-accessible format capable of Braille reproduction. Requires certification and re-certification of teachers in accordance with Braille literacy standards. Makes appropriation for Braille teacher training. (SB 606 SD1)

Status: SB 606 Senate EDU/HSP passed with amendments. No hearing by Senate WAM.
HB 1504 House EDN passed with amendments. No hearing by House FIN.

12. SB 613 SD2 HD2 CD1 (CCR 193)

RELATING TO EDUCATION.

Amends provisions relating to a quality early education plan. Requires the department of education to collaborate with parents and private providers to encourage and enable inclusionary classes with both special education eligible and general education students 3 to 5 years of age, subject to available resources and individualized education plans. Amends provisions relating to junior kindergartens and kindergarten programs. Requires the department's report card to assess the student's readiness for grade 1. Authorizes the department to give preference to qualified teachers to be placed in junior kindergarten and kindergarten programs beginning in the 2008 - 2009 school year, who have early childhood education credentials and experience. Requires the department to complete the planning and development of the appropriate curriculum for the junior kindergarten program and report to the legislature on planned junior kindergarten curricula, successful models, and assessments to be used in the placement and movement of students between junior kindergarten, kindergarten, and first grade, as well as facilities to be used for junior kindergarten. Establishes provisions relating to early childhood education facilities; pre-plus. Requires the department of education, department of human services, and department of accounting and general services shall work collaboratively to develop suitable pre-plus classrooms on department of education school campuses statewide, including conversion charter school campuses, for early childhood education programs serving preschool age children between three and five years old. Amends provisions relating to early childhood education facilities identifying sites by adding inspections. Requires the department to report to the legislature on the number of classrooms that would be suitable for early childhood education programs and the cost of renovating these classrooms to meet early childhood education standards. (SB 613 CD1)

**LEGISLATIVE SESSION 2007
FAILED MEASURES - BILLS**

Status: Passed Legislature. Vetoed by the Governor.

13. SB 653

14. HB 1597 HD1 (HSCR 749)

RELATING TO HEALTH CARE. Requires health care facilities and providers to notify the state- designated protection and advocacy entity or agency prior to transferring a patient to an out-of-state treatment, rehabilitation, or long-term care facility. (HB 1597 HD1)

Status: SB 653 Senate HTH deferred the bill.
HB 1597 House HLT/HSB passed with amendments. No hearing by House FIN.

15. SB 691 SD2 (SSCR 965)

16. HB 951

RELATING TO TRANSPORTATION OF SCHOOL CHILDREN.

Requires the department of education to provide procedures for amending policies or procedures regarding the suitable transportation to and from school and for educational field trips for all children in grades kindergarten to twelve and in special education classes. (SB 691 SD2)

Status: SB 691 Senate EDU passed with amendments. Senate WAM passed with amendments. Transmitted to the House. No hearing by House EDN.
HB 951 No hearing by House EDN.

17. SB 704 (HSCR 1284)

18. HB 968

RELATING TO TAXATION.

Exempts amounts received by trusts whose sole beneficiaries are blind, deaf, or disabled from up to \$2,000 in income. Limits general excise tax amounts collected from the trusts to one-half percent.

Status: SB 704 Senate passed without amendments. Transmitted to House. House HLT passed without amendments. No hearing by House FIN.
HB 968 No hearing by House HLT.

19. SB 794 (SSCR 224)

20. HB 292 HD1 (HSCR 398)

RELATING TO DISASTER PREPAREDNESS.

Appropriates moneys to the department of defense to equip emergency shelters in order to support special needs populations (SB 794).

Status: SB 794 Senate IGM passed without amendments. Senate WAM deferred (and inserted language into SB 796 SD2).
HB 292 House PSM passed with amendments. No hearing by House FIN.

**LEGISLATIVE SESSION 2007
FAILED MEASURES - BILLS**

21. SB 796 SD2 HD2 (HSCR 1844)

RELATING TO CIVIL DEFENSE.

Requires the counties to condition the approval of permits for the construction of new residential housing in tsunami inundation zones on the installation of tsunami warning sirens. Appropriates funds for the State Civil Defense Emergency Supply Program to equip emergency shelters. Requires the disability communications access board to identify internationally recognized symbols to be used in the event of a disaster or emergency to communicate notices to persons that do not understand verbal or written communications. (SB 796 HD2)

Status: No agreement by House and Senate Conference Committee.

22. SB 902

23. HB 485 HD1 (HSCR 684)

RELATING TO PUBLIC PROCUREMENT.

Establishes a preference to bidders who employ individuals with disabilities and certain public assistance recipients (HB 485 HD1).

Status: SB 902 No hearing by Senate HSP/TSG.
HB 485 House HSH/HLT passed with amendments. House EDB passed without amendments. No hearing by House FIN.

24. SB 970 SD2 HD1 (HSCR 1306)

25. HB 1120 HD2 SD1 (SSCR 1448)

RELATING TO DENTAL HEALTH.

Appropriates funds to the department of health for the establishment or expansion of community-based dental health clinics that are operated by federally-qualified health centers to provide a continuum of dental care to Medicaid and QUEST-eligible adults and children, the developmentally disabled, and the uninsured. (HB 1120 SD1)

Status: SB 970 Senate passed with amendments. Transmitted to House. House HLT passed with amendments. No hearing by House FIN.
HB 1120 No agreement by Senate and House Conference Committee.

26. SB 1004 SD2 HD2 CD1 (CCR 31)

27. HB 1456 HD2 SD2 (HSCR 1660)

RELATING TO PSYCHOLOGISTS.

Establishes provisions relating to conditional prescription certification; applications. Establishes that psychologist may apply to the board of psychology for a conditional prescription certificate to prescribe psychotropic medication for the treatment of mental and emotional disorders. Establishes provisions relating to conditional prescription certificate; powers duties and responsibilities. Requires psychologist holding a conditional prescription certificate to continue to hold a current license to practice psychology in Hawaii and maintain malpractice insurance, inform the board of the name of the prescribing mental health professional under whose supervision the psychologist will prescribe psychotropic

**LEGISLATIVE SESSION 2007
FAILED MEASURES - BILLS**

medication, the name of the federally qualified health center, promptly inform the board of any change of the prescribing mental health professional, and maintain an ongoing collaborative relationship with the doctor of medicine who oversees the patients general medical care. Establishes that a psychologist may apply to the board for a prescription certificate. Requires the board to adopt rules and establish requirements and procedures for obtaining and renewing a conditional prescription certificates, a prescription certificate, including continuing education requirements and reasonable application and renewal fees. Prohibits psychologist holding a conditional prescription certificate or prescription certificate to administer or prescribe a narcotic and establishes an exclusionary formulary list. Establishes that a joint formulary advisory committee within the department of health to periodically review the exclusionary formulary list. Requires the formulary advisory committee to recommend amendments to the exclusionary formulary list and review the exclusionary formulary list no less than once per quarter. Requires the Hawaii state health planning and development agency to evaluate the effect on the status of mental health care in the state of providing conditional prescriptive authority and prescriptive authority to psychologist. Report to the legislature. Act to be repealed July 1, 2014. (sunset). (SB 1004 CD1)

Status: SB 1004 Passed Legislature. Vetoed by the Governor.
HB 1456 House HLT and CPC passed with amendments. Transmitted to Senate.
Senate HTH and CPH passed with amendments. Recommitted to Senate CPH.

28. SB 1095 SD1 (SSCR 91)

RELATING TO EDUCATION.

Establishes an ombudsman for each school district to address questions and concerns of interested parties with regard to the delivery of services by state child serving agencies. Appropriates funds. (SD1)

Status: Senate EDU passed with amendments. No hearing by Senate WAM.

29. SB 1165

30. HB 530

31. SB 1181

RELATING TO EDUCATION.

Requires the course of study for all public elementary and middle schools to include instruction in physical education for not less than 200 minutes every 10 school days beginning with the 2008-2009 school year. Makes an appropriation to support the curriculum changes.

Status: SB 1165 Senate EDU held the bill.
HB 530 No hearing by House EDN/HLT.
SB 1181 Senate EDU held the bill.

**LEGISLATIVE SESSION 2007
FAILED MEASURES - BILLS**

32. SB 1168 SD1 (SSCR 329)

33. HB 532

RELATING TO BULLYING.

Requires the department of education to adopt rules to prohibit school bullying and cyber-bullying. Makes appropriation. (SB 1168 SD1)

Status: SB 1168 Senate EDU passed with amendments. No hearing by Senate WAM.
HB 532 No hearing by House EDN.

34. SB 1184 SD2 HD3 (HSCR 1908)

35. HB 811 HD1 (HSCR 703)

RELATING TO ADULT PROTECTION.

Expands the adult protective services law by extending protections to vulnerable adults. Effective July 1, 2112. (SB 1184 HD3)

Status: SB 1184 No agreement by House and Senate Conference Committee.
HB 811 House HSH passed with amendments. No hearing by House JUD.

36. SB 1197 SD1 (SSCR 131)

37. HB 824 HD1 (HSCR 732)

RELATING TO TAXATION.

Establishes an income tax credit for taxpayers who make modifications to their home to increase accessibility for individuals with disabilities. (SB 1197 SD1)

Status: SB 1197 Senate HSP passed with amendments. No hearing by Senate EDT.
HB 824 House HLT/HSB passed with amendments. No hearing by House FIN.

38. SB 1198 SD1 (SSCR 185)

39. HB 822 (HSCR 707)

RELATING TO FAMILY CAREGIVERS.

Appropriates funds for grants-in-aid to the counties to design family caregivers grant programs that would provide grants for caregivers who are caring for persons who are aged, infirm, or disabled. (SB 1198 SD1)

Status: SB 1198 Senate HSP/IGM passed with amendments. No hearing by Senate WAM.
HB 822 House HLT/HSB passed without amendments. No hearing by House FIN.

40. SB 1201

41. HB 829

RELATING TO LONG-TERM CARE.

Establishes a pilot program to reimburse family caregivers of functionally dependent or cognitively impaired care recipients; appropriates funds for that purpose; sunsets in 2012.

Status: SB 1201 Senate HSP held the bill.
HB 829 No hearing by House HLT/HSB.

**LEGISLATIVE SESSION 2007
FAILED MEASURES - BILLS**

42. SB 1203 (HSCR 1238)

43. HB 828 (HSCR 413)

RELATING TO SOCIAL SERVICES.

Requires the department of human services to develop and implement a "cash and counseling" pilot program and appropriates funds for that purpose.

Status: SB 1203 Senate passed without amendments. Transmitted to House. House HSH passed without amendments. No hearing by House FIN.

HB 828 House HSH passed without amendments. No hearing by House FIN.

44. SB 1206 (SSCR 387)

45. HB 826

RELATING TO CAREGIVING.

Appropriates funds for the executive office on aging to develop and implement an emergency and evening respite care pilot program.

Status: SB 1206 Senate HSP passed without amendments. No hearing by Senate WAM.

HB 826 No hearing by House HLT/HSB.

46. SB 1902

RELATING TO A CHARTER SCHOOL FOR AUTISTIC CHILDREN.

Amends section 302B-4 to allow for a charter school focused on the education of children diagnosed with autism; creates exception to limits on charter schools.

Status: No hearing by Senate EDU.

47. SB 1986 (SSCR 574)

48. HB 436 HD1 SD1 CD1 (CCR 126)

RELATING TO HUMAN SERVICES.

Establishes provisions relating to chiropractic coverage under medical assistance programs. Provides that medical assistance programs, including Medicaid and QUEST, shall cover services administered by a person licensed to practice chiropractic, provided that the department of human services may negotiate rates or establish payment and reimbursement rates. Appropriation. (\$\$) (HB 436 CD1)

Status: SB 1986 Senate HSP/CPH passed without amendments. No hearing by Senate WAM.

HB 436 Passed Legislature. Vetoed by the Governor.

**LEGISLATIVE SESSION 2007
FAILED MEASURES - BILLS**

49. HB 204 HD1 (HSCR 713)

50. SB 1740 (SSCR 575)

51. SB 1778

RELATING TO THE DEPARTMENT OF HEALTH.

Appropriates funds to the preschool developmental screening program, the family health services division, and the maternal and child health branch to maintain existing staff and hiring additional staff members. (HB 204 HD1)

Status: HB 204 House HLT passed with amendments. No hearing by House FIN.
SB 1740 Senate HSP/HTH passed without amendments. No hearing by Senate WAM.
SB 1778 No hearing by Senate HTH.

52. HB 1099

RELATING TO SPECIAL EDUCATION.

Requires DOE to provide to special education students, free identification bracelets to identify them in the event of an emergency.

Status: No hearing by House EDN.

53. HB 1464

RELATING TO HEALTH.

Appropriates funds for various health programs (including hospital dentistry for individuals with developmental disabilities in the County of Hawaii.)

Status: No hearing by House HLT.

54. HB 1699 HD1 (HSCR 96)

RELATING TO HEALTH COVERAGE FOR BRAIN INJURIES.

Requires insurers, hospital and medical services plans, and health maintenance organizations to provide coverage for survivors of brain injuries including, among other things, cognitive and neurocognitive therapy, neurobehavioral and neuropsychological testing or treatment, and necessary post-acute transition services or community reintegration activities.

Status: House HLT passed with amendments. No hearing by House FIN.

55. HB 1938

RELATING TO PERSONS WITH DISABILITIES.

Requires all present and future state and county restrooms available to the public with facilities for persons with disabilities to provide baby changing stations.

Status: No hearing by House HLT.

**LEGISLATIVE SESSION 2007
FAILED MEASURES - RESOLUTIONS**

1. SCR 48 SD1 HD2 CD1 (CCR 205)

2. HCR 75

REQUESTING THE ATTORNEY GENERAL TO PROVIDE AN ANALYSIS OF THE NATURE AND SCOPE OF OPERATIONS AND SERVICES THAT THE HAWAII DISABILITY RIGHTS CENTER IS REQUIRED TO PROVIDE, AND THE PRACTICES AND PROCEDURES IT IS AUTHORIZED TO EMPLOY PURSUANT TO STATE AND FEDERAL LAW, RULES, REGULATIONS, AND EXECUTIVE ORDERS. (SCR 48 CD1)

Status: SCR 48 Senate adopted the SCR on May 3. House did not adopt SCR on Floor.
HCR 75 House HLT/HSB deferred the SCR.

3. SCR 76

4. SR 43

REQUESTING THE DEPARTMENT OF EDUCATION UNDERTAKE A STUDY TO DETERMINE THE NEED FOR AN OMBUDSMAN AT EACH OF THE PUBLIC SCHOOL DISTRICTS.

Status: Senate EDU deferred the SCR and SR.

5. SCR 81 (HSCR 2089)

REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND PROGRAM AUDIT OF HAWAII'S INDEPENDENT LIVING CENTER.

Status: Senate passed without amendments. Transmitted to House. House LMG deferred the SCR.

6. SCR 177

7. HCR 43

REQUESTING THE AUDITOR TO CONDUCT A FISCAL AND MANAGEMENT AUDIT OF THE DEPARTMENT OF EDUCATION'S SPECIAL EDUCATION PROGRAM.

Status: SCR 177 No hearing by Senate EDU.
HCR 43 House passed with amendments. Transmitted to Senate. No hearing by Senate EDU.

8. HCR 106 HD1 (HSCR 1679)

9. HR 84

REQUESTING THE DEPARTMENT OF EDUCATION AND THE DEPARTMENT OF HEALTH TO DEVELOP AN ACTION PLAN TO DISSEMINATE INFORMATION TO PUBLIC SCHOOL STUDENTS AND THEIR FAMILIES ON ACCESS TO COMPREHENSIVE VISION AND HEARING EXAMINATIONS. (HCR 106 HD1)

**LEGISLATIVE SESSION 2007
FAILED MEASURES - RESOLUTIONS**

Status: House passed HCR and HR with amendments. Transmitted to Senate. No hearing by Senate EDU/HTH.

10. HCR 124 HD1 (HSCR 1665)

11. HR 98 HD1 (HSCR 1664)

REQUESTING THE DEPARTMENT OF EDUCATION TO IMPROVE ITS DELIVERY OF SERVICES TO SPECIAL NEEDS CHILDREN AND THEIR FAMILIES BY RECONSIDERING THE RATES PAID TO INTENSIVE INSTRUCTIONAL SERVICES CONSULTANTS. (HD1)

Status: House EDN passed the HCR and HR with amendments. No hearing by House FIN.

12. HCR 223

13. HR 180

URGING THE DEPARTMENT OF EDUCATION AND DEPARTMENT OF HEALTH TO DEVELOP A DEVELOPMENT, EARLY EDUCATION, AND EDUCATION PLAN FOR CHILDREN WITH DOWN SYNDROME.

Status: House EDN/HED deferred the HCR and HR.

14. HCR 226

15. HR 183

URGING THE BOARD OF EDUCATION AND THE DEPARTMENT OF HEALTH TO ADOPT ADMINISTRATIVE RULES TO COMPLY WITH THE INDIVIDUALS WITH DISABILITIES EDUCATION IMPROVEMENT ACT OF 2004 AND TO SERVE THE NEEDS OF OUR CHILDREN AND FAMILIES.

Status: House EDN/HLT deferred the HCR and HR.

LEGISLATIVE SESSION 2007
ACTION TAKEN BY DD COUNCIL ON DD-RELATED MEASURES

STRONGLY SUPPORT

1. **SB 242** (February 5)
2. **HB 325, HD1, HD2, SD1** (February 5, 27; March 14, 28)
RELATING TO DENTAL CARE.
Expands coverage under the State's Medicaid and QUEST programs to include comprehensive dental care for adults and appropriates funds to provide the additional coverage. Appropriates funds for hospital dentistry for the developmentally disabled in the county of Hawaii. Establishes a task force. (HB 325 SD1)
3. **SB 812** (February 5)
4. **SB 1747** (February 9)
5. **HB 208, HD1** (February 13, 23; March 14)
RELATING TO DEVELOPMENTAL DISABILITIES.
Appropriates moneys to fund operations of developmental disabilities domiciliary homes and apartment complexes for persons with developmental disabilities. (HB 208 HD1)
6. **SB 815** (February 13)
7. **HB 206** (February 13)
RELATING TO DEVELOPMENTAL DISABILITIES.
Appropriates funds for a coordinator and operating expenses to support a statewide self-advocacy network for individuals with development disabilities.
8. **SB 820, SD1** (February 5, 26; March 20, 29)
9. **HB 1466** (February 13)
RELATING TO DEVELOPMENTAL DISABILITIES.
Extends the repeal date of Act 303, Session Laws of Hawaii 2006, relating to community residential alternatives for persons with developmental disabilities, from June 30, 2008, to June 30, 2009. (SB 820 SD1)
10. **SB 794** (February 7, 22)
11. **HB 292** (February 3)
RELATING TO DISASTER PREPAREDNESS.
Appropriates moneys to the department of defense to equip emergency shelters in order to support special needs populations.
12. **SB 796 SD2 HD1** (March 28)
RELATING TO CIVIL DEFENSE.
Requires the counties to condition the approval of permits for the construction of new residential housing in tsunami inundation zones on the installation of tsunami warning sirens. Authorizes the governor to release and expend up to ten per cent of the interest earned on funds in the emergency and budget reserve fund to provide grants of emergency assistance for uninsured damages after a natural disaster. Requires the disability communications access board to identify internationally recognized symbols to be used in the event of a disaster or emergency to communicate to persons that do not understand verbal or

LEGISLATIVE SESSION 2007
ACTION TAKEN BY DD COUNCIL ON DD-RELATED MEASURES

written communications. Appropriates funds for emergency supply caches, the state civil defense major disaster fund, the non-declared disaster activation and response, the state civil defense emergency supply program, and funds for the Ethnic Education Foundation of Hawaii to assist them in disseminating information in the event of a disaster. (SB 796 HD1)

13. SB 970, SD1, SD2 (February 5, 26; March 13)

14. HB 1120, HD1, HD2, SD1 (February 9, 27; March 14, 28)

RELATING TO DENTAL HEALTH.

Appropriates funds to the department of health for the establishment or expansion of community-based dental health clinics that are operated by federally-qualified health centers to provide a continuum of dental care to Medicaid and QUEST-eligible adults and children, the developmentally disabled, and the uninsured. (HB 1120 SD1)

15. SB 1216 (February 7)

16. HB 1469 (February 9)

17. SB 1457, SD1, SD2, HD1 (February 7, 22; March 16; April 2)

18. HB 1371, HD1, HD2 (February 6, 24; March 14, 28)

MAKING AN EMERGENCY APPROPRIATION TO THE DEVELOPMENTAL DISABILITIES DIVISION OF THE DEPARTMENT OF HEALTH.

Appropriates \$4,980,523 in general fund revenues and \$4,111,237 from the developmental disabilities interdepartmental transfer fund as an emergency appropriation to enable the developmental disabilities division to meet state-approved target numbers under the current Medicaid home and community based service and ensure the receipt of federal Medicaid reimbursements. (SB 1457 HD1)

19. SB 1459, SD1 (February 7, 22; March 16; April 2)

20. HB 1373, HD1 (February 6, 24; March 14, 28)

MAKING AN EMERGENCY APPROPRIATION FOR THE DEPARTMENT OF HEALTH FOR EARLY INTERVENTION SERVICES.

Makes an emergency appropriation of \$4,419,644 in general funds for FY 2006-2007, for early intervention services for infants and children from birth to three years of age with developmental delay or at biological or environmental risk for developmental delay. (SB 1459 SD1)

21. HB 204 (February 9)

RELATING TO THE DEPARTMENT OF HEALTH.

Appropriates funds to the preschool developmental screening program, the family health services division, and the injury prevention and control section to maintain existing staff and hiring additional staff members.

22. HB 1475, HD1 (February 9, 23)

RELATING TO SOCIAL SERVICES.

Establishes provisions for a minimum monthly allowance for residents of certain care homes, and regular increases of the allowance. (HB1475 HD1)

23. GM 320 - Governor's Nominee **MARGARET MARY BAXTER** to DDC (March 7)

LEGISLATIVE SESSION 2007
ACTION TAKEN BY DD COUNCIL ON DD-RELATED MEASURES

24. **GM 321** - Governor's Nominee **PAUL K. HIGA** to DDC (March 7)
25. **GM 322** - Governor's Nominee **CHARLOTTE HAUNANI LOSA KAMAUOHA** to DDC (March 7)
26. **GM 323** - Governor's Nominee **BERNADETTE LUCY KELI'IAA** to DDC (March 7)
27. **GM 324** - Governor's Nominee **DEBORAH JEANE RIVERS** to DDC (March 7)
28. **GM 325** – Governor's Nominee **PAUL S. VARGAS, JR.** to DDC (March 7)
29. **GM 573** – Governor's Nominee **JOE D. CORDOVA** to DDC (April 13)
30. **GM 574** – Governor's Nominee **ROSELANI MANUWAI-ROWE** to DDC (April 13)
31. **SCR 58** (March 19)
32. **SR 34** (March 19)
URGING THE CIVIL DEFENSE OF THE STATE DEPARTMENT OF DEFENSE TO DESIGNATE A LEAD STAFF TO ADDRESS THE NEEDS OF INDIVIDUALS WITH DISABILITIES AND SPECIAL HEALTH NEEDS.
33. **SCR 219** (April 5)
34. **SR138** (April 5)
REQUESTING THE GOVERNOR OF THE STATE OF HAWAII TO CONVENE A TASK FORCE TO REVIEW POLICIES FOR STATE FUNDED PROGRAMS AND SERVICES ON THE USE OF RESTRAINTS AND SECLUSION ON ADULTS AND CHILDREN IN INSTITUTIONAL AND NON-INSTITUTIONAL SETTINGS.

LEGISLATIVE SESSION 2007
ACTION TAKEN BY DD COUNCIL ON DD-RELATED MEASURES

SUPPORT

1. **SB 241** (February 5)
2. **HB 1599** (February 15)
RELATING TO COMMUNITY PLACEMENT.
Directs the departments of health and human services to maintain an inventory of all facilities licensed or certified under their jurisdiction and their vacancies to facilitate the placement of individuals in community-based facilities.
3. **SB 653** (February 21)
4. **HB 1597** (February 15)
RELATING TO HEALTH CARE.
Requires health care facilities and providers to notify the state designated protection and advocacy entity or agency prior to transferring a patient to an out-of-state health care facility.
5. **SB 1182 SD2** (March 13; April 4)
RELATING TO NEEDS ALLOWANCE.
Establishes a needs allowance for residents of care homes and long-term care facilities. (SB 1182 SD2)
6. **SB 1188** (February 6)
RELATING TO LONG-TERM CARE.
Appropriates funds to assist with the development of the aging and disability resource center program.
7. **SB 1933 SD1, SD2, HD1** (February 22; March 15, 20)
8. **HB 1014 HD1, HD2** (February 23; March 16)
RELATING TO EDUCATION.
Provides for various teacher preparation, professional development, research, and assistance programs. Improves the academic achievement of students in mathematics and science. (SB 1933 HD1)
9. **HB 531 HD3 SD1** (March 28)
RELATING TO CHILDREN.
Establishes a task force to study the feasibility of expanding Hawaii's early intervention section to continue services for children three to five years of age; appropriates funds. (HB 531 SD1)
10. **SCR 76** (March 28)
11. **SR 43** (March 28)
REQUESTING THE DEPARTMENT OF EDUCATION TO UNDERTAKE A STUDY TO DETERMINE THE NEED FOR AN OMBUDSMAN AT EACH OF THE PUBLIC SCHOOL DISTRICTS.

LEGISLATIVE SESSION 2007
ACTION TAKEN BY DD COUNCIL ON DD-RELATED MEASURES

SUPPORT INTENT

1. **SB 1095** (January 29)
RELATING TO EDUCATION.
Establishes quality assurance committees at various levels of the department of education to address policies impacting the delivery of services by state child serving agencies and provide opportunities for community input and feedback. Includes representatives from other state agencies and private organizations. Appropriates funds for staffing.
2. **SB 1176 SD1, HD1** (March 13, 21)
3. **HB 531 HD1, HD2, HD3, SD2** (February 12, 27; March 14, 20)
RELATING TO CHILDREN.
Establishes and appropriates funds for a feasibility study to determine the appropriateness of expanding Hawaii's early intervention section to continue services for children three to five years of age, and if deemed appropriate, to design and develop an implementation plan to provide a continuum of services for children three to five years of age who may require services. (SB 1176 HD1)
4. **SB 1780 SD2** (March 16)
RELATING TO EMPLOYMENT.
Exempts recipients of social service payments from the scope of employment related laws; defines "recipients of social service payments" as it relates to chapters 383, 386, 392, and 393, Hawaii Revised Statutes. (SB 1780 SD2)
5. **SCR 17** (April 11, 20)
6. **HCR 14** (March 23)
URGING THE DEPARTMENT OF EDUCATION TO STUDY THE EDUCATIONAL IMPLICATIONS OF THE SPECIAL NEEDS OF PRESCHOOL AGE CHILDREN WITH DEVELOPMENTAL DISABILITIES.
7. **SCR 143** (March 29)
8. **SR 97** (March 29)
REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RESPITE CARE.
9. **HCR 72** (March 23)
10. **HR 49** (March 23)
REQUESTING THE HEALTH CARE ASSOCIATION OF HAWAII TO EXAMINE THE PROBLEM OF PATIENTS IN ACUTE CARE HOSPITALS WAITLISTED FOR LONG-TERM CARE AND TO PROPOSE SOLUTIONS.
11. **HCR 187 HD1** (April 11)
12. **HR 145 HD1** (April 11)
REQUESTING THE LEGISLATIVE REFERENCE BUREAU TO STUDY RESPITE CARE POLICIES AND PROGRAMS IN OTHER STATES AND THE EXECUTIVE

**LEGISLATIVE SESSION 2007
ACTION TAKEN BY DD COUNCIL ON DD-RELATED MEASURES**

**OFFICE ON AGING TO CONDUCT AN INVENTORY OF RESPITE CARE
SERVICES IN HAWAII.**

LEGISLATIVE SESSION 2007
ACTION TAKEN BY DD COUNCIL ON DD-RELATED MEASURES

OPPOSE

1. **SB 1176** (February 5)
2. **HB 531** (February 1)
RELATING TO CHILDREN.
Amends early intervention services law to be consistent with the reauthorized Individuals with Disabilities Education Act of 2004.
3. **SB 1780**
RELATING TO EMPLOYMENT. (February 15)
Exempts recipients of social service payments from the scope of employment related laws.
4. **SB 1989**
RELATING TO EMPLOYMENT. (February 13)
Clarifies status of attendant care and day care services to labor statutes.
5. **SCR 48** (March 29)
6. **HCR 75** (March 27)
**REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND PROGRAM
AUDIT OF THE HAWAII DISABILITY RIGHTS CENTER.**

LEGISLATIVE SESSION 2007
ACTION TAKEN BY DD COUNCIL ON DD-RELATED MEASURES

COMMENT

1. **SB 1780 SD1** (February 28)
2. **HB 833 HD1, HD2, SD1** (February 28; March 16, 30)

RELATING TO EMPLOYMENT.

Exempts recipients of social service payments from the scope of employment related laws; defines "recipients of social service payments" as it relates to chapters 383, 386, 392, and 393, Hawaii Revised Statutes. (SD1)