



STATE OF HAWAII
STATE COUNCIL
ON DEVELOPMENTAL DISABILITIES
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April 18, 2017

The Honorable Jill N. Tokuda, Chair
Senate Committee on Ways and Means
Twenty-Ninth Legislature
State Capitol
State of Hawaii
Honolulu, Hawaii 96813

Dear Senator Tokuda and Members of the Committee:

SUBJECT: HCR 96 – Requesting the Department of Budget and Finance to Provide a Status Report on the Hawaii ABLE Savings Program.

The State Council on Developmental Disabilities (DD) **SUPPORTS HCR 96**. The purpose of this resolution is to request the Department of Budget and Finance to provide a status report on the establishment and implementation of the Hawaii ABLE Savings Program and submit it to the Legislature no later than 20 days before the convening of the Regular Session of 2018.

Public Law 113-295, known as the Achieving a Better Life Experience (ABLE) Act, was signed into law by President Obama on December 19, 2014. On July 2, 2015 Governor David Ige signed into law Act 206, SLH 2015, known as Hawaii ABLE Savings Program. This law allows people with disabilities to open special accounts where they can save up to \$100,000 without risking eligibility for Social Security and other government programs. Moreover, individuals can keep their Medicaid coverage with an ABLE account.

Since Hawaii's law passed, the Council has worked closely with stakeholders on accessing ABLE accounts for eligible citizens of Hawaii. Former Senator Suzanne Chun Oakland convened meetings during the Interim with representatives from the Department of Budget and Finance (B&F), Center on Disability Studies, Hawaii Disability Rights Center, and the Special Parent Network to discuss ways to collaborate to implement Act 206 in assisting eligible citizens of Hawaii with opening an ABLE account.

On November 18, 2016, Wesley Machida, Director of B&F provided our workgroup with an update of their plans to address Act 206. Given that no additional resources were given to B&F to implement the Hawaii ABLE Savings Program, they decided to request a full-time position in this legislative session to oversee the ABLE Savings and Hawaii College Savings Program.

In the meantime, their plans are quoted as follows:

1. “We will partner with other states concurrently with Hawaii residents’ ability to join and participate in the Program implemented by Ohio, Nebraska, Florida, and Tennessee. (Timeline: Next Two Months)
 - a. In partnering with the aforementioned states and others, we will draft and execute a working agreement with one or more of these states to refer Hawaii residents to their programs. If additional funding is required to implement and operate the partnering agreement, we will request an appropriate amount from the State Legislature. This should include, but not be limited to, extending call center hours to meet Hawaii’s time difference with the partnering state.
2. Review all the appropriate federal regulations under the Internal Revenue Code Chapter 529A to ensure that we have the capability to meet all requirements. We have secured the assistance of Deputy Attorney General Rodney Tam to assist and advise us and implement the Program and all necessary operating requirements. (Timeline: One Month)
3. We will develop and issue a Request for Proposal to hire a third party administrator (subject to the availability of staff being requested). (Timeline: Three Months)
4. Evaluate, select, and negotiate a contract with a third party administrator. (Timeline: One Month)
5. With the assistance of the third party administrator and deputy attorney general, we will develop an implementation plan that includes, among other things, a communications, enrollment, reporting, and monitoring process and procedures. (Timeline: Two Months)
6. Periodically evaluate Program’s effectiveness. (Timeline: On-going)
Some of the steps outlined in the above plans can be done concurrently, while others have to be done sequentially. In summary, partnering with other states is estimated to take us about 2 months or more to execute, while setting up the Program similar to the Hawaii College Savings Program will take about 7 months to effectuate.”

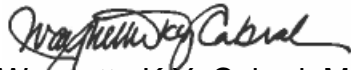
Through this collaboration, we were able to assist eight individuals residing in Hawaii to open an ABLE account online through Tennessee’s ABLE TN Account.

We understand there to be further changes to the ABLE Act on a national level and look forward to the Department’s status report in order to move forward with Hawaii’s ABLE Savings Program. The Council is committed in working with other stakeholders to assist B&F in implementing Act 206.

The Honorable Jill Tokuda
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Thank you for the opportunity to submit **testimony supporting the intent of HCR 96.**

Sincerely,



Waynette K.Y. Cabral, MSW
Executive Administrator



Josephine C. Woll
Chair

From: mailinglist@capitol.hawaii.gov
To: [WAM Testimony](#)
Cc: louis@hawaiidisabilityrights.org
Subject: Submitted testimony for HCR96 on Apr 18, 2017 09:30AM
Date: Friday, April 14, 2017 12:14:55 PM

HCR96

Submitted on: 4/14/2017

Testimony for WAM on Apr 18, 2017 09:30AM in Conference Room 211

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

Comments: When the ABLE law was passed a few years ago, it was hailed as a great achievement for people with disabilities. However, to our knowledge, the Department of Budget and Finance has done very little to implement it in Hawaii. For that reason, requiring them to update the Legislature is an excellent idea that will hopefully bring some accountability.

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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Sent: Wednesday, April 12, 2017 12:37 PM
To: WAM Testimony
Cc: mendezj@hawaii.edu
Subject: *Submitted testimony for HCR96 on Apr 18, 2017 09:30AM*

HCR96

Submitted on: 4/12/2017

Testimony for WAM on Apr 18, 2017 09:30AM in Conference Room 211

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

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