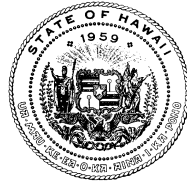


# SCR120 / SR90

Measure Title:	REQUESTING THE HAWAII DEVELOPMENT DISABILITIES COUNCIL TO CONVENE A WORKING GROUP TO COORDINATE ALL SERVICES PROVIDED TO INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AND THEIR FAMILIES.
Report Title:	Department of Health; Department of Human Services; Department of Labor and Industrial Relations; Development Disabilities; Vocational Rehabilitation; Working Group
Description:	
Companion:	<a href="#">HCR130</a>
Package:	None
Current Referral:	CPH
Introducer(s):	DELA CRUZ, KIDANI, Inouye, Keith-Agaran, Moriwaki



**STATE OF HAWAII**  
**DEPARTMENT OF HEALTH**  
P. O. Box 3378  
Honolulu, HI 96801-3378  
doh.testimony@doh.hawaii.gov

**Testimony COMMENTING on SCR 120 and SR 90**

**REQUESTING THE HAWAII DEVELOPMENT DISABILITIES COUNCIL TO  
CONVENE A WORKING GROUP TO COORDINATE ALL SERVICES PROVIDED  
TO INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL  
DISABILITIES AND THEIR FAMILIES.**

SENATOR ROSALYN H. BAKER, CHAIR  
SENATE COMMITTEE ON COMMERCE, CONSUMER PROTECTION, AND HEALTH

Hearing Date: March 21, 2019  
9 a.m.

Room Number: 229

1 **Department Testimony:** The Department of Health (DOH) provides comments and offers  
2 amendments on SCR 120 and SR 90 which would establish a working group to coordinate all  
3 services for people with intellectual and developmental disabilities (I/DD) and their families.  
4 DOH supports the need to improve coordination among the State agencies named in SCR120 and  
5 SR 90, especially in the areas of employment supports and workforce development for people  
6 with I/DD as the named agencies would imply. It would be of great benefit to the State to study  
7 the issues surrounding any gaps in coordination and services, and for an independent body to be  
8 responsible for convening and facilitating such a workgroup.  
9 As currently drafted, SCR 120 and SR 90 do not name the impacted agencies to be part of the  
10 working group. DOH would offer the importance of the named agencies to have appointed  
11 representatives to the working group. It would also follow that recommendations to better  
12 coordinate the efforts of state agencies should be based on the studied findings of the working  
13 group.

1 **Offered Amendments:**

2 DOH respectfully offers the following amendments:

3 • **On page 2, line 19** - replace the sentence with “BE IT FURTHER RESOLVED that the  
4 working group is requested to coordinate services and include a representative of each of  
5 the following agencies:”

6 • **On page 2, line 41** - add after the word recommendations “of the working group”

7 • **On page 2, line 42** - after the word improve, add “coordination and the”

8 Thank you for the opportunity to testify.

DAVID Y. IGE  
GOVERNOR



PANKAJ BHANOT  
DIRECTOR

CATHY BETTS  
DEPUTY DIRECTOR

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

March 19, 2019

TO: The Honorable Senator Rosalyn H. Baker, Chair  
Senate Committee on Commerce, Consumer Protection, and Health

FROM: Pankaj Bhanot, Director

SUBJECT: **SCR 120/SR90 – REQUESTING THE HAWAII DEVELOPMENT DISABILITIES COUNCIL TO CONVENE A WORKING GROUP TO COORDINATE ALL SERVICES PROVIDED TO INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL DISABILITIES AND THEIR FAMILIES.**

Hearing: March 21, 2019, 9:00 a.m.  
Conference Room 229, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports the intent and offers comments on the resolution.

**PURPOSE:** The purpose of SCR120 is to request that the Hawaii Developmental Disabilities Council (DD Council) convene a working group to coordinate all services provided to individuals with intellectual and developmental disabilities and their families. The DD Council is also requested to provide advice and recommendations to the State on how to improve provision of services and the application process to individuals with intellectual and developmental disabilities and their families.

DHS supports the intent of a working group to help coordinate policy and service delivery questions related to individuals with intellectual and developmental disabilities and their families. Individuals with intellectual and developmental disabilities and their families face a difficult and challenging system of care that can be complicated to navigate. A working group of state agencies and divisions could help streamline service delivery and promote a more seamless and unified approach to care.

While the resolution specifies that the work of five divisions and the Workforce Development Council would be coordinated by the working group, it does not specify that the divisions and the council are the working group members. DHS suggests that the legislature name the divisions and entities that would participate in the working group, including the divisions and council already named in the resolution. The participation of the named divisions and council will be key to help promote the recommendations made by the working group.

Thank you for the opportunity to testify.

**SCR-120**

Submitted on: 3/15/2019 5:48:04 PM

Testimony for CPH on 3/21/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Louis Erteschik	Testifying for Hawaii Disability Rights Center	Support	No

Comments:

DAVID Y. IGE  
GOVERNOR

JOSH GREEN  
LIEUTENANT GOVERNOR



SCOTT T. MURAKAMI  
DIRECTOR

LEONARD HOSHIJO  
DEPUTY DIRECTOR

**STATE OF HAWAII  
DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS**

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Email: [dlir.director@hawaii.gov](mailto:dlir.director@hawaii.gov)

March 21, 2019

To: The Honorable Rosalyn H. Baker, Chair,  
The Honorable Stanley Chang, Vice Chair, and  
Members of the Senate Committee on Commerce, Consumer Protection,  
and Health

Date: Thursday, March 21, 2019

Time: 9:00 a.m.

Place: Conference Room 229, State Capitol

From: Scott T. Murakami, Director  
Department of Labor and Industrial Relations (DLIR)

**Re: S.C.R. 120/ S.R. 90 REQUESTING THE HAWAII DEVELOPMENT DISABILITIES  
COUNCIL TO CONVENE A WORKING GROUP TO COORDINATE ALL SERVICES  
PROVIDED TO INDIVIDUALS WITH INTELLECTUAL AND DEVELOPMENTAL  
DISABILITIES AND THEIR FAMILIES**

**I. OVERVIEW OF PROPOSED LEGISLATION**

SCR 120/SR 90 requests the Hawaii Development Disabilities Council to convene a working group to coordinate all services provided to individuals with intellectual and developmental disabilities and their families. The working group is requested to submit a report to the legislature of its findings and recommendations, including any proposed legislation, no later than 20 days prior to the convening of the regular session of 2021.

The working group is requested to coordinate the services of various divisions, including the Workforce Development Division (WDD) and Disability Compensation Division (DCD) of the Department of Labor and.

DLIR supports the intent and proposes an amendment.

**II. CURRENT LAW**

WDD is responsible for providing services and programs to job seekers, including youths aged 14 to 21 years old, and employers; collaborating with educators,

employers, and labor unions to identify basic skills of all workforce entrants; and providing consultative and support services to employers and laid-off workers in times of financial trouble.

DCD is responsible for planning, directing, and coordinating statewide activities relating to the interpretation, implementation, and administration of the Workers' Compensation (WC), Temporary Disability Insurance (TDI), and Health Care Laws, rules, regulations, policies, and procedures.

### **III. COMMENTS ON THE SENATE RESOLUTION**

DLIR appreciates the request to convene a working group to coordinate services for individuals with intellectual and developmental disabilities. The WDD has collaborated with previous working groups and other stakeholders to assist individuals with intellectual and development disabilities and would work with the Hawaii Development Disabilities Council working group to provide advice and recommendations.

However, DLIR respectfully requests that DCD be removed from the list of divisions requested to coordinate these efforts. DCD's work program involves industrial and non-industrial injuries rather than intellectual and developmental disabilities and therefore would not be able to provide advice and recommendations on how to improve services and the application process to individuals with intellectual and developmental disabilities and their families.





**STATE OF HAWAII**  
STATE COUNCIL  
ON DEVELOPMENTAL DISABILITIES  
PRINCESS VICTORIA KAMAMALU BUILDING  
1010 RICHARDS STREET, Room 122  
HONOLULU, HAWAII 96813  
TELEPHONE: (808) 586-8100 FAX: (808) 586-7543  
March 21, 2019

The Honorable Senator Rosalyn Baker, Chair  
Senate Committee on Commerce, Consumer Protection and Health  
Thirtieth Legislature  
State Capitol  
State of Hawai'i  
Honolulu, Hawai'i 96813

Dear Senator Baker and Members of the Committee:

SUBJECT: SCR 120

The State Council on Developmental Disabilities **strongly supports the intent of SCR 120** which would establish the Hawaii Development Disabilities Council to convene a working group to coordinate all services provided to individuals with intellectual and developmental disabilities and their families.

The Council would like to thank the legislature for this resolution in recognizing the independence of the Council and providing the Council with authority to coordinate all services for persons with intellectual and developmental disabilities. As the legislature is aware, Chapter 333E, HRS and Public Law 106-402 would allow the Council to follow through with SCR 120 if it should pass. However, the statutes also hold the Council responsible to coordinate and develop a five-year state plan that reflects addressing the unmet needs and coordination of services of individuals with intellectual and developmental disabilities.

The coordination of services is addressed in the Council's state plan, but not "to coordinate all services". The current state plan has been approved by the Council and the U.S. Administration on Intellectual and Developmental Disabilities. Any additional mandates, such as the implementation of SCR120, would go beyond the scope of the state plan and would require approval from the U.S. Administration on Intellectual and Developmental Disabilities and then go through public hearings to change the Council's state plan.

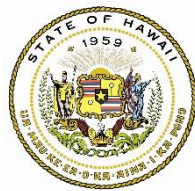
The Council apologizes to the legislature for the oversight and not bringing to their attention when asked, the process it would take for the Council to implement SCR120.

Sincerely,

Daintry Bartoldus  
Executive Administrator

**DAVID Y. IGE**  
GOVERNOR

**JOSH GREEN**  
LIEUTENANT GOVERNOR



**LESLIE WILKINS**  
CHAIRPERSON

**ALLICYN C.H. TASAKA**  
EXECUTIVE DIRECTOR

**STATE OF HAWAII**  
**WORKFORCE DEVELOPMENT COUNCIL**  
830 Punchbowl Street, Suite 417, Honolulu, Hawaii 96813  
Phone: (808) 586-8630 Web: <http://labor.hawaii.gov/wdc/>

March 21, 2019

To: Senator Rosalyn H. Baker, Chair and  
Senator Stanley Chang, Vice Chair and  
Members of the Senate Committee on Commerce, Consumer Protection, and Health

From: Allicyn Tasaka, Executive Director  
Workforce Development Council

RE: SCR 120 / SR 90 Requesting the Hawaii Development Disabilities Council to Convene a Working Group to Coordinate All Services Provided to Individuals with Intellectual and Developmental Disabilities and Their Families.

Hearing: March 21, 2019, 9:00 a.m., Conference Room 229

POSITION: Support Intent and Comments

Good morning Chair Baker, Vice Chair Chang and members of the Committee on Commerce, Consumer Protection, and Health. I am Allicyn Tasaka, Executive Director of the Workforce Development Council (WDC) testifying in support of the intent of SCR 120 / SR 90 and offers comments.

The resolutions call for the Hawaii Developmental Disabilities Council to convene a task force to provide advice and recommendations on how to improve provision of services and the application process to individuals with intellectual and developmental disabilities and their families. The report is due no later than October 1, 2020.

The WDC is responsible for the administrative oversight and implementation of a federally mandated initiative, the Workforce Innovation and Opportunity Act of 2014 or WIOA. The agency is tasked with strategic planning and developing the infrastructure, and administering federal funds allocated to each county for a seamless common intake and referral system at the American Job Centers (or One-Stop Centers) so job seekers and employers can maneuver through the workforce system efficiently and receive employment, education, training and support services throughout the State. The WDC is administratively attached to the DLIR.

One of the important new rules under WIOA is that it requires the workforce system be accessible to people with disabilities. This includes providing youth (ages 14-24 years) and adults with pre-employment training services and seeking more competitive integrated employment that match the capabilities of the individual.

The Triennial Comprehensive Statewide Needs Assessment for Program Years 2015 to 2017 conducted by the Interwork Institute at San Diego University revealed the following common themes for individuals with disabilities (this is not a complete list):

- Employability skill development is a major need for this group;
- Students need more exposure to work prior to exiting the school system;
- Students have a great need for mentors and high expectations;
- Individuals with disabilities from rural areas, Native Hawaiian, and Micronesians are minorities who are underserved;
- Individuals that have deaf-blindness are also minorities who are underserved or unserved; and
- The barriers to achieving employment goals and accessing services of individuals with disabilities from different ethnic groups are similar to the needs of vocational rehabilitation consumers but include language barriers.

Students in Hawaii have a strong need to receive pre-employment transition services (Pre-ETS) as identified in the Reauthorization of the Rehabilitation Act in WIOA and a program offered by the Hawaii Department of Human Service's Division of Vocational Rehabilitation. These services include:

- Job exploration learning experiences;
- Work-based learning experiences;
- Counseling on opportunities for enrollment in comprehensive transition or post-secondary educational programs at institutions of higher education;
- Workplace readiness training to develop social skills and independent living skills; and
- Instruction in self-advocacy, which may include peer mentoring.

The federal funds for WIOA are allocated to each county workforce development board and they contract service providers to provide direct employment services for adult, dislocated worker and youth at the American Job Centers. WIOA funds are used to assist eligible job seekers and employers.

Thank you for the opportunity to provide comments on SCR 120 / SR 90.

**SCR-120**

Submitted on: 3/20/2019 7:01:26 AM

Testimony for CPH on 3/21/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Katrina Obleada	Testifying for Hawaii Psychological Association	Support	No

Comments:

HPA is in strong support of this bill as it would encourage affected stakeholders, affected individuals and family members, state agency personnel and professionals providing services to work together collaboratively to identify and address the needs of persons with developmental disabilities.

Democratic Party of Hawaii (DPH)  
O'ahu County Committee (OCC)  
Affirmative Action Committee

Aloha,

The Affirmative Action Committee, OCC, DPH, supports with amendment SCR120 that requests the Hawai'i Development Disabilities Council to Convene a Working Group to Coordinate All Services Provided to Individuals with Intellectual and Developmental Disabilities (DD) and their Families.

The proposed amendment is to add after the Be It Resolved Clause, the following clause, "Be It Further Resolved that the working group include among its membership, representation from the affected communities, for example, National Down Syndrome Society, Autistic Self Advocacy Network, etc."

Work groups like the one being proposed in this resolution are convened with the best of intentions when it comes to empowering people with disabilities. All too often, however, the work group or task force favor the participation of the agencies and service providers rather than the affected population, especially the successful people with developmental disabilities who are now working in competitive and integrated employment. Since competitive and integrated employment is one of the primary goals for service outcomes, it is extremely helpful to favor the participation of those living role models who know what enabled their own success.

If meetings are scheduled during the normal workdays, the task force runs the risk of being dominated by the wants, needs, priorities, and incentives for the agencies and service providers rather than those of the DD community. Special emphasis and consultation with autonomously organized groups of people with developmental disabilities, where people with developmental disabilities vote to elect their own leadership, such as the National Down Syndrome Society and the Autistic Self Advocacy Network, can enable the community's needs to be expressed by the community rather than the service providers. Only those elected by people with developmental disabilities can truly speak for them. The voices of the agencies and service providers are notably different—not better or worse—and this must be handled effectively in order to ensure that the needs of the DD community do not take a back seat in discussions pertaining to them. An old mantra in disability rights says, "our road to hell is paved with your good intentions." To prevent this, let us be sure to allow people with developmental disabilities to speak for themselves, not to be the passive recipients of well-intended acts of service.

We offer an adaptation of a passage from a famous disability rights speech, given in 1956, but still relevant today:

*We do not want compassion, we want understanding; we do not want tolerance, we want acceptance; we do not want charity, we want opportunity; we do not want dependency, we want independence. You have given us much, but you have withheld more; you have withheld those values which we prize above all else, exactly as you do: personal liberty, dignity, privacy, opportunity, and—most of all—equality. But if it is not in your power, or consistent with your*

*premises, to see these things as our goals, be assured that it is within our power and consistent with our self-knowledge to demand them and to press for their attainment. For we know by hard experience what you do not know, or have not wished to recognize: that given the opportunity we are your equals; that as a group we are no better and no worse than you—being in fact a random sample of yourselves. We are your doubles, whether the yardstick be intellectual or physical or psychological or occupational. Our goals, in short, are these: we wish to be liberated, not out of society but into it; we covet independence, not in order to be distinct but in order to be equal. We are aware that these goals, like the humane objectives you have labored so long to accomplish, will require much time and effort and wisdom to bring into being. But the painful truth must be proclaimed that your purposes are not our purposes; we do not share your cherished assumptions of the nature of disability, and will not endure the handicap you have placed upon it. And so we have formed our own organization, in order to speak for ourselves from the experience which we alone have known and can interpret. We bear no malice and seek no special favors, beyond the right and opportunity to join society as equal partners and members in good standing of the great enterprise that is our nation and our common cause.*

Collaboration is a wonderful thing, and we hope that people with developmental disabilities can be active leaders in charting their own future.

Mahalo for this initiative and the opportunity to offer our mana‘o.

Respectfully,

LEIMOMI KHAN

Chair

OCC Affirmative Action Committee

**SCR-120**

Submitted on: 3/18/2019 5:41:32 PM

Testimony for CPH on 3/21/2019 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Ann Yabusaki	Individual	Support	No

Comments:

Dear Chairperson and Committee Members,

I am writing in full support of SCR120/SR90. As a psychologist and family therapist, I work with individuals with fetal alcohol spectrum disorders that are neurodevelopmental disorders that present with significant life long functional challenges. Trying to obtain services for my clients have been short of a nightmare. The need for coordinated and knowledgeable services are critical for this population. I would fully support and know of others who would be willing to participate in a workgroup with the purpose to compile resources, train providers, and find a way to coordinate services for people in need.

Thank you for your consideration,

Ann S. Yabusaki, Ph.D.,MFT