

MAR 08 2007

SENATE CONCURRENT RESOLUTION

REQUESTING THE AUDITOR TO CONDUCT A FINANCIAL AND PROGRAM AUDIT
OF THE HAWAII DISABILITIES RIGHTS CENTER.

1 WHEREAS, the Hawaii Disabilities Rights Center is the
2 designated agency under section 333F-8.5, Hawaii Revised
3 Statutes, to provide advocacy services to persons with
4 developmental disabilities and mental illness; and
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6 WHEREAS, a designation of an agency such as the Hawaii
7 Disabilities Rights Center is a prerequisite for the State to
8 receive federal funds; and
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10 WHEREAS, Congress created a nationwide protection and
11 advocacy system for individuals with developmental disabilities
12 under the Developmental Disabilities Assistance and Bill of
13 Rights Act, as amended, to aid individuals with developmental
14 disabilities and their families so that they may gain access to
15 appropriate support and services; and
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17 WHEREAS, the Hawaii Disabilities Rights Center has access
18 to all records of any person with developmental disabilities or
19 mental illness, to the extent required by federal law, as
20 provided in section 333F-8.5, Hawaii Revised Statutes; and
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22 WHEREAS, the Department of Health has jurisdiction over
23 state funding for the Hawaii Disabilities Rights Center, and
24 pursuant thereto, has responsibility for the performance of the
25 Hawaii Disability Rights Center; and
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27 WHEREAS, the Legislature is concerned about whether the
28 Hawaii Disabilities Rights Center is fulfilling its mission,
29 particularly since it also receives state funding; and
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31 WHEREAS, the Hawaii Disabilities Rights Center has never
32 been the subject of an audit by the Auditor; and



1 WHEREAS, a complete financial and program audit of the
2 Hawaii Disabilities Rights Center is warranted in the interests
3 of protecting a vulnerable population that it is designed to
4 serve; now, therefore,
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6 BE IT RESOLVED by the Senate of the Twenty-fourth
7 Legislature of the State of Hawaii, Regular Session of 2007, the
8 House of Representatives concurring, that the Auditor is
9 requested to conduct a financial and program audit of the Hawaii
10 Disabilities Rights Center; and
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12 BE IT FURTHER RESOLVED that the Auditor also investigate
13 whether the Hawaii Disabilities Rights Center:
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- 15 (1) Is fulfilling its mission in a proper, objective, and
16 effective manner, including an evaluation of how the
17 Center exerts its authority over organization subject
18 to the Center's purview;
- 19 (2) Is abusing its authority over its access to records of
20 persons with developmental disabilities or mental
21 illness;
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- 23 (3) Has in place appropriate grievance procedures and
24 alternative remedies to litigation for agencies over
25 which it has jurisdiction; and
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- 27 (4) Is being appropriately overseen by any state or
28 federal authority, and the scope of such authority;
29 and
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32 BE IT FURTHER RESOLVED that the Auditor report its findings
33 and recommendations to the Legislature not later than twenty
34 days prior to the convening of the Regular Session of 2008; and
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36 BE IT FURTHER RESOLVED that certified copies of this
37 Concurrent Resolution be transmitted to the Hawaii Disabilities
38 Rights Center and the Director of Health.
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OFFERED BY: 

