
A BILL FOR AN ACT

RELATING TO CHILDREN.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 321-351, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By adding a new definition of "developmental delay" to
4 be appropriately inserted and to read:

5 "Developmental delay" means a significant delay in one or
6 more of the following areas of development: cognition, speech,
7 language, physical, motor, vision, hearing, psychosocial, or
8 adaptive development."

9 2. By amending the definition of "early intervention
10 services" to read:

11 "Early intervention services" means services ~~[which:]~~
12 that:

- 13 (1) Are provided under public supervision;
- 14 (2) Are provided at no cost, except where federal or state
15 law provides for a system of payments by families,
16 including a sliding fee schedule;



- 1 (3) Are designed to meet the developmental needs of
2 infants and toddlers with special needs, which include
3 but are not limited to an infant or toddler with a
4 disability as identified by the individualized family
5 support plan team, in one or more of the following
6 areas: physical development, cognitive development,
7 ~~[and self-help skills,]~~ communication development,
8 social or emotional development, or adaptive
9 development;
- 10 (4) Are provided by qualified professional and
11 paraprofessional personnel;
- 12 (5) Are provided in conformity with an individualized
13 family support plan; ~~[and]~~
- 14 (6) Include ~~[but are not limited to]~~: family support~~[,]~~
15 training, counseling, and home visits; special
16 instruction; ~~[speech]~~ speech-language pathology and
17 audiology~~[,]~~ services, and sign language and cued
18 language services; occupational therapy; physical
19 therapy; psychological services; case management
20 services; medical services only for diagnostic or
21 evaluation purposes; early identification, screening,
22 and assessment services; ~~[and]~~ health services



1 necessary to enable the infant or toddler to benefit
 2 from the other early intervention services[-]; social
 3 work services; vision services; assistive technology
 4 devices and assistive technology services; and
 5 transportation and related costs that are necessary to
 6 enable an infant or toddler and the infant's or
 7 toddler's family to receive another service described
 8 in this paragraph; and

9 (7) To the maximum extent appropriate, are provided in
 10 natural environments, including the home and community
 11 settings in which children without disabilities
 12 participate."

13 3. By repealing the definition of "delayed development".

14 [~~"Delayed development" means a significant delay in one or~~
 15 ~~more of the following areas of development: cognition, speech,~~
 16 ~~language, physical, motor, vision, hearing, psychosocial, or~~
 17 ~~self-help skills."~~]

18 SECTION 2. Section 321-357, Hawaii Revised Statutes, is
 19 amended to read as follows:

20 "[+]§321-357[+] **Early intervention funds; purpose and use.**

21 (a) The purpose of the early intervention special fund and
 22 early intervention trust fund is to expand and enhance early



1 intervention services for infants and toddlers with special
2 needs by providing a cooperative funding mechanism between the
3 public and private sectors to work together to make and secure
4 appropriations and donations to the funds.

5 (b) The department may procure services under chapters
6 103D and 103F in accordance with criteria and procedures
7 established by rules adopted pursuant to chapter 91, for
8 community-based, family-centered, early intervention services,
9 including but not limited to:

10 (1) Programs to provide early intervention services for
11 infants and toddlers with developmental delays or at
12 biological or environmental risk;

13 (2) Family support programs to strengthen families to
14 reduce the risk of child abuse and neglect;

15 (3) Training and education for professionals,
16 paraprofessionals, and families; and

17 (4) Research, evaluation, and data management related to
18 early intervention services.

19 (c) Services to be procured under this section shall be in
20 accordance with chapters 103D and 103F and take the following
21 forms:



1 (1) Purchase of service contracts to private nonprofit
 2 organizations, public agencies, or qualified
 3 individuals to provide community-based, family-
 4 centered, early intervention services; or

5 (2) Direct payments for services, educational materials,
 6 training, quality assurance, equipment, data
 7 collection, and program evaluation.

8 (d) Parents of children with a disability aged three
 9 through five who are eligible for services under Part B and
 10 previously received services under Part C, Section 619 of the
 11 Individuals with Disabilities Education Improvement Act of 2004,
 12 may choose the continuation of early intervention services,
 13 which shall include an educational component that promotes
 14 school readiness and incorporates pre-literacy, language, and
 15 numeracy skills, until the child enters or is eligible to enter
 16 elementary school.

17 ~~(d)~~ (e) The Hawaii early intervention coordinating
 18 council shall make recommendations to the department for the
 19 expenditure of moneys from the funds."

20 SECTION 3. Statutory material to be repealed is bracketed
 21 and stricken. New statutory material is underscored.

22 SECTION 4. This Act shall take effect upon its approval.



Report Title:
Children; IDEA

Description:
Amends early intervention services law to be consistent with the reauthorized Individuals with Disabilities Education Improvement Act of 2004. (HB531 HD1)

