
A BILL FOR AN ACT

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

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

1 SECTION 1. This Act is recommended by the governor for
2 immediate passage in accordance with section 9 of article VII of
3 the Constitution of the State of Hawaii.

4 SECTION 2. The purpose of this Act is to appropriate
5 additional funds to the department of health for the State's
6 medicaid title XIX programs, which include the developmental
7 disabilities or mentally retarded home and community-based
8 services and the medicaid state plan intermediate care
9 facilities for the mentally retarded in the community program,
10 to meet a critical funding emergency. The additional funds are
11 necessary to support current clients and to reasonably admit
12 individuals into the program to fulfill the developmental
13 disabilities division's obligations under the settlement
14 agreement in HDRC v. State, United States District Court, Civil
15 No. 03-00524 HG-KSC, and comply with the United States Supreme
16 Court's decision in Olmstead v. Zimring, 527 U.S. 581, 119 S.



1 Ct. 2176 (1999), and the requirements of chapter 333F, Hawaii
2 Revised Statutes, to support people to live in the community.

3 SECTION 3. There is appropriated out of the general
4 revenues of the State of Hawaii the sum of \$, or so
5 much thereof as may be necessary, for fiscal year 2006-2007, to
6 carry out the purposes of this Act.

7 The sum appropriated shall be expended by the department of
8 health for the purposes of this Act.

9 SECTION 4. In accordance with section 9 of article VII, of
10 the Constitution of the State of Hawaii and sections 37-91 and
11 37-93, Hawaii Revised Statutes, the legislature has determined
12 that the appropriation contained in this Act will cause the
13 state general fund expenditure ceiling for fiscal year 2006-2007
14 to be exceeded by \$, or per cent. The reason
15 for exceeding the general fund expenditure ceiling is that the
16 appropriation is necessary to serve the public interest and to
17 meet the needs provided for by this Act.

18 SECTION 5. This Act shall take effect upon its approval.



Report Title:

Emergency Appropriation; DOH

Description:

Appropriates general fund revenues as an emergency appropriation to enable the Developmental Disabilities Division (DDD) to meet state-approved target numbers under the current Medicaid home and community based service. (SD1)

