STAND. COM. REP. NO. 1543

Honolulu, Hawaii

Ajie 7, 2009

RE: H.R. No. 238

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committees on Human Services and Health, to which was referred H.R. No. 238 entitled:

"HOUSE RESOLUTION URGING CONGRESS TO OPPOSE THE PROPOSED RULE AMENDMENTS PUBLISHED ON APRIL 10, 2008 IN THE FEDERAL REGISTER (73 FED. REG. 19708) THAT IMPLEMENT THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000, AND TO SUPPORT NEW SECTIONS IN THE UPCOMING REAUTHORIZATION,"

beg leave to report as follows:

The purpose of this resolution is to:

- (1) Declare that the Legislature is opposed to the proposed amendments to the Developmental Disabilities Assistance and Bill of Rights Act of 2000 as published on April 10, 2008, in the Federal Register, and urge the United States Congress to do the same; and
- (2) State that in the process of reauthorization, the Developmental Disabilities Assistance and Bill of Rights Act of 2000 should include provisions regarding oversight, protocol, and transparency with respect to the designated advocacy service provider.

Several concerned individuals supported this resolution. The State Council on Developmental Disabilities and Hawaii Disability Rights Center (HDRC) opposed this resolution.

HR238 HSCR HUS-HLT HMS 2009-3640

Your Committees note the concerns raised by HDRC that there are numerous inaccuracies in this resolution regarding the contents of the proposed regulations. HDRC stated that the main thrust of the proposed regulations is to codify court decisions which may have been issued regarding the authority of the protection and advocacy systems or to conform these developmental disability regulations with those that govern the program for the Protection and Advocacy for Individuals with Mental Illness. Additionally, HDRC stated that the public comment period for these proposed regulations has elapsed, meaning that any expression of support or opposition by the Legislature will not be entered as part of the record.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.R. No. 238 and recommend that it be referred to the Committee on Judiciary.

> Respectfully submitted on behalf of the members of the Committees on Human Services and Health,



Record of Votes of the Committee on Human Services

Bill/Resolution No.: Hp 238	Committee Refe			Date: 04 04 0	1
☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: Pass, unamended (as is) □ Pass, with amendments (HD) □ Hold □ Pass short form bill with HD to recommit for future public hearing (recommit)					
HUS Members		Ayes	Ayes (W	R) Nays	Excused
1. MIZUNO, John M. (C)					
2. BROWER, Tom (VC)					
3. BELATTI, Della Au					
4. BERTRAM, Joe, III					
4. BERTRAM, Joe, III					
5. CARROLL, Mele					
6. NISHIMOTO, Scott Y.		/	2 P		
7. SHIMABUKURO, Maile S.L.		/			
		(F)	S. O. S. B. S. C. S. C. S.		
8. YAMANE, Ryan I.		/			
0 WADD Cone					
9. WARD, Gene					
TOTAL (9)		4	٥	0	3
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)					
Vice Chair's or designee's signature: Tan Brown					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					



Record of Votes of the Committee on Health

Bill/Resolution No.: HR 238	Committee Referral: HUS/HLT,JUD	Date 4 -	:: 06-09		
☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: ☐ Pass, unamended (as is) ☐ Pass, with amendments (HD) ☐ Hold ☐ Pass short form bill with HD to recommit for future public hearing (recommit)					
HLT Members	Ayes	Ayes (WR)	Nays	Excused	
1. YAMANE, Ryan I. (C)					
2. NISHIMOTO, Scott Y. (VC)					
3. BELATTI, Della Au					
4. BERTRAM, Joe, III					
5. BROWER, Tom					
CARROLL Mele					
6. CARROLL, Mele		and the second s	1985		
7. MIZUNO, John M.					
The Control of the Co					
8. SHIMABUKURO, Maile S.L.					
9. FINNEGAN, Lynn					

	1 -				
TOTAL (9)	P			3	
The recommendation is: Adopted If joint referral, committee acronym(g) Not Adopted did not support recommendation.					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					

STAND. COM. REP. NO. 1544

Honolulu, Hawaii

A 2009

RE: H.C.R. No. 268

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committees on Human Services and Health, to which was referred H.C.R. No. 268 entitled:

"HOUSE CONCURRENT RESOLUTION URGING CONGRESS TO OPPOSE THE PROPOSED RULE AMENDMENTS PUBLISHED ON APRIL 10, 2008 IN THE FEDERAL REGISTER (73 FED. REG. 19708) THAT IMPLEMENT THE DEVELOPMENTAL DISABILITIES ASSISTANCE AND BILL OF RIGHTS ACT OF 2000, AND TO SUPPORT NEW SECTIONS IN THE UPCOMING REAUTHORIZATION,"

beg leave to report as follows:

The purpose of this concurrent resolution is to:

- (1) Declare that the Legislature is opposed to the proposed amendments to the Developmental Disabilities Assistance and Bill of Rights Act of 2000 as published on April 10, 2008, in the Federal Register, and urge the United States Congress to do the same; and
- (2) State that in the process of reauthorization, the Developmental Disabilities Assistance and Bill of Rights Act of 2000 should include provisions regarding oversight, protocol, and transparency with respect to the designated advocacy service provider.

Several concerned individuals supported this concurrent resolution. The State Council on Developmental Disabilities and Hawaii Disability Rights Center (HDRC) opposed this concurrent resolution.

HCR268 HSCR HUS-HLT HMS 2009-3640

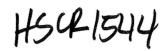
Your Committees note the concerns raised by HDRC that there are numerous inaccuracies in this concurrent resolution regarding the contents of the proposed regulations. HDRC stated that the main thrust of the proposed regulations is to codify court decisions which may have been issued regarding the authority of the protection and advocacy systems or to conform these developmental disability regulations with those that govern the program for the Protection and Advocacy for Individuals with Mental Illness. Additionally, HDRC stated that the public comment period for these proposed regulations has elapsed, meaning that any expression of support or opposition by the Legislature will not be entered as part of the record.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 268 and recommend that it be referred to the Committee on Judiciary.

Respectfully submitted on behalf of the members of the Committees on Human Services and Health,

RYAN I. YAMANE, Chair

JOIN M. MIZUNO, Chair



Record of Votes of the Committee on Human Services

Bill/Resolution No.: HCR 268	Committee Referral: HUS / HLT , JYD	Date	4106109	
☐ The committee is reconsidering its previous				
*	unamended (as is) Pass short form bill with HD to recom	, with amendments nmit for future publi		
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)			No. of the second se	
2. BROWER, Tom (VC)				
3. BELATTI, Della Au				
4. BERTRAM, Joe, III				
5. CARROLL, Mele				
6. NISHIMOTO, Scott Y.			Table to the state of the state	
7. SHIMABUKURO, Maile S.L.				L. College
8. YAMANE, Ryan I.				
9. WARD, Gene			12 17 18 18 18 18 18 18 18 18 18 18 18 18 18	
9. WARD, Gene				
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TOTAL (9)	(e	O	0	3
The recommendation is: Adop		did not suppo	ort recommendatio	n.
Vice Chair's or designee's signature:	Tom Brown		a so the first terminate and the second of	
Distribution: Original (White) – Committee	tee Duplicate (Yellow) – 0	Chief Clerk's Office	Duplicate (Pink) – HMSO



Record of Votes of the Committee on Health

Bill/Resolution No.: HCR 268	Committee Referral: HUS/HLT, JUD	Dat 4 -	e: -06-09		
☐ The committee is reconsidering its previous decision on the measure.					
The recommendation is to: □ Pass, unamended (as is) □ Pass, with amendments (HD) □ Hold □ Pass short form bill with HD to recommit for future public hearing (recommit)					
HLT Members	Ayes	Ayes (WR)	Nays	Excused	
1. YAMANE, Ryan I. (C)					
A NYGYYD ACTOR OF THE VICTOR				1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
2. NISHIMOTO, Scott Y. (VC)					
3. BELATTI, Della Au		200 SERVED	A STATE OF THE STA		
4. BERTRAM, Joe, III					
5. BROWER, Tom					
CARROLL Mile					
6. CARROLL, Mele					
7. MIZUNO, John M.					
8. SHIMABUKURO, Maile S.L.					
		THE RESERVE			
9. FINNEGAN, Lynn					
And the second s					
		13.150			
	/_				
TOTAL (9)	\mathcal{L}			3	
The recommendation is: Adopted If joint referral, did not support recommendation.					
Vice Chair's or designee's signature:	15 24				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					

STAND. COM. REP. NO. 1545

Honolulu, Hawaii

A 2009

RE: H.C.R. No. 54

Honorable Calvin K.Y. Say Speaker, House of Representatives Twenty-Fifth State Legislature Regular Session of 2009 State of Hawaii

Sir:

Your Committees on Human Services and Health, to which was referred H.C.R. No. 54 entitled:

"HOUSE CONCURRENT RESOLUTION REQUESTING AN INCREASE FOR MEDICARE REIMBURSEMENT IN HAWAII,"

beg leave to report as follows:

The purpose of this concurrent resolution is to request an increase in Medicare payments to physicians rendering services in Hawaii.

Testimony in support of this measure was submitted from the Department of Human Services and Hawaii Pacific Health.

Your Committees support the request to increase geographic practice cost indices reimbursements for Medicaid and Medicare services rendered in Hawaii. Since the geographic practice cost indices for Hawaii in 2005 were significantly lower than that of Alaska in the corresponding year and Congress implemented a baseline for Alaska, it stands reasonable to set a higher reimbursement rate for Hawaii as well.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees concur with the intent and purpose of H.C.R. No. 54 and recommend that it be referred to the Committee on Finance.

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STAND. COM. REP. NO. Page 2

Respectfully submitted on behalf of the members of the Committees on Human Services and Health,

Record of Votes of the Committee on Human Services

Bill/Resolution No.: HCR 54	Committee HUS	e Referral:	= IV	Date:	12310	9
☐ The committee is reconsidering its previous decision on the measure.						
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)						
HUS Members		Ayes	Ayes (W	R)	Nays	Excused
1. MIZUNO, John M. (C)						
2. BROWER, Tom (VC)		V				
The second secon			π,			4
3. BELATTI, Della Au						
4. BERTRAM, Joe, III						
5. CARROLL, Mele						
6. NISHIMOTO, Scott Y.						
7. SHIMABUKURO, Maile S.L.		V				
8. YAMANE, Ryan I.						V
9. WARD, Gene		V	210 2 2 5400			
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TOTAL (9)		7	0		0	2
The recommendation is: Adopted If joint referral, did not support recommendation. committee acronym(s)						
Vice Chair's or designee's signature: Tom Brown						
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO						



Record of Votes of the Committee on Health

Bill/Resolution No.: HCR 54	Committee Referral: HUS/HLT, FIN		nte: - 2 3 0 9		
☐ The committee is reconsidering its previ					
The recommendation is to: Pass, unamended (as is) Pass, with amendments (HD) Hold Pass short form bill with HD to recommit for future public hearing (recommit)					
HLT Members	Ayes	Ayes (WR)	Nays	Excused	
1. YAMANE, Ryan I. (C)					
2 NISHIMOTO Soutt V (VC)					
2. NISHIMOTO, Scott Y. (VC)			2.74		
3. BELATTI, Della Au					
4. BERTRAM, Joe, III					
5. BROWER, Tom					
6. CARROLL, Mele					
7. MIZUNO, John M.					
en e					
8. SHIMABUKURO, Maile S.L.					
9. FINNEGAN, Lynn			3 1		
TOTAL (9)	7			2	
The recommendation is: Adopted If joint referral, committee acronym(s) Not Adopted did not support recommendation.					
Vice Chair's or designee's signature:					
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO					