



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

February 12, 2009

**MEMORANDUM**

TO: Honorable Suzanne Chun Oakland, Chair  
Senate Committee on Human Services

FROM: Lillian B. Koller, Director

SUBJECT: **S. B. 916 - RELATING TO GENERAL ASSISTANCE**

Hearing: Thursday, February 12, 2009, 1:45 p.m.  
Conference Room 016, State Capitol

**PURPOSE:** The proposed amendment is to limit the General Assistance program which is all State-funded, to a period not to exceed 12 months, unless the recipient is actively pursuing a Federal application for Social Security.

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this Administration bill. The General Assistance program is meant to provide cash benefits for food, clothing, shelter, and other essentials to individuals, ages 18 through 64, without minor dependents, who are temporarily disabled and who do not qualify for Social Security benefits. Assistance is provided while the temporarily disabled individual recovers sufficiently to return to work or, if permanently disabled, is determined to be qualified as eligible for Federal Social Security benefits.

It is expected that within the 12-month time limit being proposed, the temporarily disabled client will be able to return to work or be qualified for federal Social Security benefits.

The 12-month eligibility shall be extended pending determination of the GA recipient's eligibility for the Federal Supplemental Security Income Program or its successor program.

The GA program caseload has been increasing. This time limit will allow the Department to provide the maximum amount of assistance to more clients while they are in their recovery or transition period and still provide public assistance within the limits of the appropriation authorized by the Legislature each year.

Thank you for the opportunity to provide comments on this bill.

George J. Zweibel, Esq.  
President, Board of Directors

M. Nalani Fujimori, Esq.  
Interim Executive Director

**TESTIFYING IN SUPPORT, REQUESTING AMENDMENTS TO  
SB916 - RELATING TO GENERAL ASSISTANCE**

February 12, 2009 at 1:15 p.m.

The Legal Aid Society of Hawaii hereby provides testimony in support, but requesting amendments to the Senate Committee on Human Services on SB916 – Relating to General Assistance (“GA”).

The Legal Aid Society of Hawaii provides free legal services to the low-income population of the State of Hawaii. We provided civil legal assistance to those in need through nine offices located in Lihue, Waianae, Honolulu, Kaneohe, Kaunakakai, Lanai City, Wailuku, Kona and Hilo. Over the years we have provided leadership around public benefits issues and on an annual basis update our public benefits manual and provide a two-day training on public benefits.

As written, this bill would place a twelve month limit on eligibility for GA. While we understand the basis for DHS’s request for this time limit, we believe that this bill (1) should expand the limit to twenty-four months and keep the annual review; (2) provide stronger protections for disabled recipients; (3) require DHS to consider an applicant for the Aid to Aged Blind and Permanently and Totally Disabled program (“AABD”) after twelve months or upon turning 65; and (4) convert the GA program into an entitlement program to address the issues raised in SB915.

**EXPAND TIME LIMIT AND MAINTAIN ANNUAL REVIEW**

Under the current language of the bill, GA recipients would be limited to twelve months on assistance, however months pending a determination for supplemental social security income would not count. As there are sometimes situations out of a recipient’s control and caused by their disability, we believe that a twenty-four month limit provides a better time limit. To this end, we also believe that the reevaluation should be maintained as annually rather than semi-annually.

**GOOD CAUSE EXCEPTIONS TO NOT COUNTING MONTHS**

GA is for disabled individuals and by its nature these individuals are mentally and physically disabled. While filing for social security and ensuring that they have an application pending should be a relatively easy requirement to meet, the disabilities faced by many of these recipients sometimes make it difficult for them to initially pursue and application or maintain the pursuant of this application. In addition, recent cut backs to mental health community programs now limit the amount of hours available for mental health case workers to assist recipients in making meetings, gathering information and following through with applications.

As such, we are also requesting amendments to this bill which would allow for a good cause exception to the proposed GA time limit.

**CONVERSION FROM GA TO AABD**

It is our understanding that DHS is proposing this bill in order to ensure that recipients that should be converted from GA to AABD be converted to that program. To this end, we are offering amendments which would require DHS to evaluate a GA recipient at twelve months or upon turning 65 for the AABD program.

### AABD-GA PROBLEM

In Hawai'i there are two financial assistance programs for disabled individuals. Simply stated AABD is for those that are permanently disabled, but that don't qualify for Supplemental Social Security Income ("SSI") because of immigration status or other reasons and General Assistance ("GA") is for those who are either temporarily disabled or who may qualify for SSI.

Because the legislature has recognized an on-going need to support those who are permanently and totally disabled persons, AABD was established as an entitlement program. As such, the benefit level for AABD is set at the same rates as the TANF/TAONF programs. However, GA was created as a block grant program which means that benefit amounts are paid out based on the total allocation provided by the legislature.

Recognizing the need to disburse comparable benefits, over the years DHS has maintained the GA payment at the same rate as the AABD program even when the block grant allocated for GA would not support such levels. To do so, DHS would transfer funds from the AABD to the GA program. However, recently they've been advised that they cannot continue this practice as AABD is an entitlement and GA is blocked grant.

To allow for continued transfers and to ensure on-going parity between these two populations, either AABD must be converted to a block grant program or GA must be converted to an entitlement program. We believe that the best solution to this problem is to convert the GA program into an entitlement program. This is already being done operationally and with the added time limits and other precautions concerns about cost are less an issue than they have been previously. As such, we are also proposing amendments to convert the GA program into an entitlement program.

### SUGGESTED AMENDMENTS

The proposed amendments that we are suggesting are summarized as follows:

- Replace on page 3, line 14, "twelve" with "twenty-four"
- Add on page, 3, line 14, after "months" "unless good cause exists"
- Maintain on page 6, line 1, "annually" as appears currently in the statute and delete "semi-annually"
- Insert at page 6, line 3, after "department" "provided that after twelve months or upon turning 65, the department refers the person for eligibility under the aged blind and permanently and totally disabled program"
- Move on page 6, lines 6 to 16, beginning with "Good cause..." and insert on page 6, between lines 17 and 18, the following edited section:

"Good cause" shall include, but not be limited to:

- (i) Treatment is unavailable;
- (ii) Personal emergencies;
- (iii) Circumstances that threaten the safety of the patient; and
- (iv) Disability affects the ability of the patient to follow-through with recommendations.

The department shall adopt rules in accordance with chapter 91 to define "good cause," as used above, in order to determine when treatment is unavailable, what constitutes a personal emergency, what circumstances may threaten the safety of a patient, what diagnosed disability affects the ability of the patient to follow-through with recommendations, and other factors that may constitute good cause.

- Add a new Section 2 as follows: Section 346-53, Hawaii Revised Statutes, is amended to read as follows:

a) ~~This subsection does not apply to general assistance to households without minor dependents.~~ The standard of need shall equal the poverty level established by the federal government in 2006, prorated over a twelve-month period based on family size.

The assistance allowance provided shall be based on a percentage of the standard of need. For exempt households and households in which all caretaker relatives are minors, living independently with minor dependents and attending school, the assistance allowance shall be set no higher than sixty-two and one-half per cent and no lower than forty-four per cent of the standard of need. For all other households, the assistance allowance shall be set no higher than sixty-two and one-half per cent of the standard of need and set no lower than thirty-four per cent of the standard of need. The standard of need shall be determined by dividing the 2006 federal poverty level by twelve and rounding down the quotient. The remaining quotient shall be multiplied by the per cent as set by the director by rules pursuant to chapter 91, and the final product shall be rounded down to determine the assistance allowance; provided that:

(1) The department may increase or reduce the assistance allowance as determined in this subsection for non-exempt households for the purpose of providing work incentives or services under part XI;

(2) No reduction shall be allowed that jeopardizes eligibility for or receipt of federal funds;

(3) Reductions in the assistance allowance shall be limited to no more than one per year; and

(4) No non-exempt household, which includes an adult who has received sixty cumulative months of temporary assistance to needy families with minor dependents, shall be eligible for an assistance allowance, unless authorized by federal regulations.

~~[(b) The director shall determine the allowance for general assistance to households without minor dependents based upon the total amount appropriated for general assistance to households without minor dependents, among other relevant factors.]~~

We have also provided a new SD1 which incorporates these proposed changes.

Thank you for the opportunity to testify.

Sincerely,

M. Nalani Fujimori  
Interim Executive Director

General Assistance

**Description:**

Places a twelve-month limit on general assistance to households without minor dependents with appropriate exceptions.

HOUSE OF REPRESENTATIVES  
TWENTY-FIFTH LEGISLATURE, 2009  
STATE OF HAWAII

S.B. NO. 916 SD1

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A BILL FOR AN ACT

RELATING TO GENERAL ASSISTANCE.

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

SECTION 1. Section 346-71, Hawaii Revised Statutes, is amended to read as follows:

"**§346-71 General assistance to households without minor dependents.** (a) The department of human services is authorized to administer and provide state-funded public assistance to eligible persons who are disabled, who are not otherwise provided for under this chapter, and who are unable to provide sufficient support for themselves or those dependent upon them; provided that such persons:

- (1) Have first been determined ineligible for a comparable federally funded financial assistance program;
- (2) Are bona fide residents of this State; and
- (3) Have furnished to the department a social security account number for each member of the assistance unit or verification that an application was made with the Social Security Administration for a social security account number for each member of the assistance unit.

Persons who meet the categorical criteria for eligibility, but fail to satisfy income and resource criteria adopted by the department shall not be eligible for general assistance to household without minor dependents. The failure of any adult member of the assistance unit to comply with the requirements or conditions of general assistance to households without minor dependents shall exclude the entire assistance unit from receiving financial assistance. However, when the adult member is disqualified for not meeting the work requirement, the assistance unit shall not be disqualified if the assistance unit was formed after the failure to meet the work requirement occurred. "Assistance unit" as the term is used in this section means persons whose needs, income, and assets are considered in the financial assistance payment and their dependents.

For purposes of determining whether persons seeking assistance are bona fide residents of this State, the department of human services shall consider, but is not limited to considering, the following factors:

- (1) Enrollment and receipt of welfare benefits from another jurisdiction;
- (2) Physical presence in the State;
- (3) Maintenance of a place of residence in the State;
- (4) The availability of furnishings and household and personal effects sufficient to lead a reasonable person to conclude that the place of residence is more than a public accommodation;
- (5) Qualification as to residence for purposes of voting in the State;
- (6) Change in vehicle operation license;
- (7) Vehicle registration;
- (8) Enrollment of children in local schools; and
- (9) Bank accounts in this State or any other jurisdiction.

(b) A person between eighteen and sixty-five years of age with a disability shall be eligible for general assistance to households without minor dependents for a period not to exceed twenty four months unless good cause exists if the person:

- (1) Is determined to be needy in accordance with standards established by this chapter and the rules adopted under subsection (c);

- (2) Is unable to meet the disability requirements established by the federal Supplemental Security Income Program or its successor agency; and
- (3) Is unable to engage in any substantial gainful employment because of a determined and certified physical, mental, or combination of physical and mental disability. Upon application, the department shall ask the person whether the person has a physical or mental disability, or both. If the person claims to have both a physical and mental disability, the department shall ask the person to choose whether the person's primary disability is physical or mental. Determination and certification of the disability shall be as follows:
  - (A) A determination and certification of physical disability shall be made by a board of licensed physicians designated and paid by the department. Meetings of this board shall not be subject to part I of chapter 92;
  - (B) A determination and certification of mental disability shall be made by a board of licensed psychologists or licensed physicians whose specialty is in psychiatry. This board shall be designated and paid by the department. Meetings of this board shall not be subject to part I of chapter 92;
  - (C) If a determination and certification is made that the applicant does not have a physical, mental, or combination of a physical and mental disability, prior to a denial of any claim, the department shall provide the applicant with an initial denial notice that gives the applicant at least ten calendar days to provide additional medical evidence. The notice shall refer the applicant to free legal services for assistance and permit the applicant to request extensions of time, if necessary;
  - (D) If a determination of physical, mental, or combination of a physical and mental disability is made, the person shall accept and pursue appropriate medical treatment from a provider of the person's choice. The department shall promptly provide the person with a complete and legible copy of the recommended appropriate treatment;
  - (E) Any person, to continue to be certified as mentally disabled, physically disabled, or both mentally and physically disabled, shall be reevaluated annually, as provided by this section, and more frequently, as required by the department provided that after twelve months or upon turning 65, the department refers the person for eligibility under the aged blind and permanently and totally disabled program; and
  - (F) Failure to pursue appropriate medical treatment shall result in a loss of eligibility, unless the failure is due to good cause. ~~[Good cause shall include but not be limited to:~~

- ~~(i) Treatment is unavailable;~~
- ~~(ii) Personal emergencies; and~~
- ~~(iii) Circumstances that threaten the safety of the patient.~~

~~The department shall adopt rules in accordance with chapter 91 to define "good cause", as used in subparagraph (F), in order to determine when treatment is unavailable, what constitutes a personal emergency, what circumstances may threaten the safety of a patient, and other factors that may constitute good cause.]~~

As used in this subsection:

"Good cause" shall include, but not be limited to:

- (v) Treatment is unavailable;
- (vi) Personal emergencies;
- (vii) Circumstances that threaten the safety of the patient; and
- (viii) Disability affects the ability of the patient to follow-through with recommendations.

The department shall adopt rules in accordance with chapter 91 to define "good cause," as used above, in order to determine when treatment is unavailable, what constitutes a personal emergency, what circumstances may threaten the safety of a patient, what diagnosed disability affects the ability of the patient to follow-through with recommendations, and other factors that may constitute good cause.

"Substantial gainful employment" means at least thirty hours of work per week.

"With a disability" or "having a disability" means a disability that extends for a period of over sixty days.

Any person determined to be eligible under this subsection may be referred to any appropriate state agency for vocational rehabilitation services and shall be required to accept the services as a further condition

of eligibility for the receipt of general assistance to households without minor dependents under this section. An assistance unit shall be determined ineligible for general assistance to households without minor dependents if any adult member of the assistance unit fails to cooperate with any appropriate state agency for vocational rehabilitation services after being referred for services. Any person found eligible under this subsection may also be required to seek employment and participate in public work projects, as described in section 346-31, and in public employment projects, as described in section 346-102.

(c) Applicants and recipients shall be required to satisfy all applicable provisions of this section. Recipients disqualified for failure to comply with any of the requirements under this section shall be excluded from general assistance to households without minor dependents for a period not to exceed twelve months.

(d) The allowance for general assistance to households without minor dependents shall not exceed sixty-two and one-half per cent of the standard of need.

(e) Within the limitations of this section, the department shall by rules adopted pursuant to chapter 91, determine:

- (1) The allowance for general assistance to households without minor dependents based upon the total amount appropriated for general assistance to households without minor dependents;
- (2) A method for determining assistance amounts; and
- (3) Other necessary provisions to implement general assistance to households without minor dependents.

(f) Any month in which a person receives assistance pending an eligibility determination for the federal Supplemental Security Income Program or a successor program shall not be counted towards the twelve-month limit."

SECTION 2. Section 346-53, Hawaii Revised Statutes, is amended to read as follows:

a) ~~This subsection does not apply to general assistance to households without minor dependents.~~ The standard of need shall equal the poverty level established by the federal government in 2006, prorated over a twelve-month period based on family size.

The assistance allowance provided shall be based on a percentage of the standard of need. For exempt households and households in which all caretaker relatives are minors, living independently with minor dependents and attending school, the assistance allowance shall be set no higher than sixty-two and one-half per cent and no lower than forty-four per cent of the standard of need. For all other households, the assistance allowance shall be set no higher than sixty-two and one-half per cent of the standard of need and set no lower than thirty-four per cent of the standard of need. The standard of need shall be determined by dividing the 2006 federal poverty level by twelve and rounding down the quotient. The remaining quotient shall be multiplied by the per cent as set by the director by rules pursuant to chapter 91, and the final product shall be rounded down to determine the assistance allowance; provided that:

- (1) The department may increase or reduce the assistance allowance as determined in this subsection for non-exempt households for the purpose of providing work incentives or services under part XI;
- (2) No reduction shall be allowed that jeopardizes eligibility for or receipt of federal funds;
- (3) Reductions in the assistance allowance shall be limited to no more than one per year; and
- (4) No non-exempt household, which includes an adult who has received sixty cumulative months of temporary assistance to needy families with minor dependents, shall be eligible for an assistance allowance, unless authorized by federal regulations.

~~[(b) The director shall determine the allowance for general assistance to households without minor dependents based upon the total amount appropriated for general assistance to households without minor dependents, among other relevant factors.]~~

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

SECTION 4. This Act shall take effect on July 1, 2009.



Senate HMS Cmte  
Thurs, Feb 12, 2009  
1:45 pm  
room 016

National Association of Social Workers

Hawaii Chapter

February 9, 2009

TO: Senator Suzanne Chun Oakland  
Members of the Senate Human Services Committee

FROM: Debbie Shimizu, LSW  
National Association of Social Workers, Hawaii Chapter

RE: SB 916 Relating to General Assistance- **SUPPORT with AMENDMENTS**

Chair Chun Oakland and members of the Senate Human Services Committee, I am Debbie Shimizu, Executive Director of the National Association of Social Workers (NASW), Hawaii Chapter. I am also a member of the Financial Assistance Advisory Council (FAAC) of DHS. NASW is the largest professional organization for social workers in Hawaii.

**NASW support SB 916 with proposed amendments.**

The purpose of SB 916 is to change the way the General Assistance (GA) program is funded. Currently the program is funded by a block grant appropriated by the Legislature. The Department has admitted that having GA as a fixed block grant is difficult to maintain when the number of individuals applying for GA is increasing. For the past few years, the amount of the GA block grant has been inadequate to maintain paying all recipients at the \$469/mon level. We applaud the Department for continuing to fund GA recipients at this level despite the inadequate funds in the block grant. The Department has had to “borrow” from the appropriation for the ABD population to maintain giving \$469/mon to GA recipients. To avoid this practice of “borrowing” from the ABD appropriation, we support the amendments proposed by Legal Aid Society of Hawaii to change General Assistance into an entitlement program rather than a block grant.

The Financial Assistance Advisory Council has discussed this issue with the DHS and both have agreed to proceed making both programs (ie, ABD and GA) entitlement programs.

Thank you for this opportunity to testify.

Date: February 10, 2009

To: SENATE COMMITTEE ON HUMAN SERVICES  
Senator Suzanne Chun Oakland, Chair  
Senator Les Ihara, Jr, Vice-Chair

From: Teresa Bill ph: 956-9313

Re: SB 916 relating to General Assistance  
Thurs. Feb. 12 2009 1:45 p.m.  
Conference Room 016 1 copy to Committee Clerk, room 226

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My name is Teresa Bill. **I support SB 916 with amendments.**

The General Assistance program is an important part of Hawai'i's safety net which allows individuals without minor dependents to receive some financial assistance while temporarily disabled (more than 60 days). Currently there is no time limit on participation. One impetus for the Dept. to implement a 12-month time limit is because many individuals are actually in the process of applying for federal disability benefits through Social Security Disability Insurance.

I support **amending the time limit for eligibility to 24-months** to ensure that adequate time has been allowed to ensure the individual has time to apply to SSDI or to fully recover from their temporary disability. Page 3 line 14 ("for a period not to exceed 24 months") and page 8 line 16 are the two references to the time limit for eligibility.

I also **support** any language proposed by the Legal Aid Society of Hawai'i **ensuring a "good cause" exemption** for failing to meet deadlines for medical determinations and medical appointments. With recent cut to mental health case management, individuals with mental disabilities will find it more difficult to make and keep appointments and will need additional assistance.

I also **support amendments** proposed by the Legal Aid Society of Hawai'i to create a new Section 2 at page 8 line 17 **which changes General Assistance from a "block grant appropriation" to a straight entitlement program which would mirror the AABD (Aged, Blind, and Permanently Disabled) program.** This would also address the disjuncture between the funding mechanisms for GA and the AABD programs. Changing General Assistance from a block grant would mean that individuals would not have to worry about whether their monthly assistance will be maintained throughout the full year; that assistance levels would be maintained at the current \$469 per month which is 50% of the 2006 Federal Poverty Level. The Dept. has been able to shuffle funds between programs to maintain General Assistance payments, but it should be policy that individuals eligible for General Assistance, who are temporarily disabled could expect a standard payment. With the current block grant, it is conceivable that when the budget appropriation is used, individuals' monthly assistance is reduced. The Dept. has made a great effort to maintain General Assistance payments, and taking General Assistance off a "block grant" would make this effort easier.

To recap: I support amending SB 916 to extend the eligibility to 24 months, with additional language ensuring the inclusion of "good cause" for any failure to meet deadlines; and I support appropriate legal language that changes General Assistance from a block grant to a straight entitlement program.

Thank you for this opportunity to testify.

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*Kanani Kaaiawahia Bulawan*

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Date: February 9, 2009

To: Sen. S. Chun-Oakland, Chair Human Services  
Sen. L. Ihara Jr., Vice Chair Human Services

Hearing: February 12, 2009 Thursday 1:45pm Rm 016

**Measure: SB916: RELATING TO GENERAL ASSISTANCE**

Aloha Chair Chun-Oakland, Vice Chair Ihara and committee members:

My name is Kanani Kaaiawahia Bulawan. I ask for **SUPPORT with CHANGES** to SB916 relating to General Assistance benefits for the single/couple population who are temporarily disabled. The change purposed is to identify the timeline limitation to illness, i.e. different causes of disability per 12 months of benefits.

As we all know there are many single individuals and couples without children who are in need of temporary support while they are addressing their disabilities. As they work towards healing assurances needs to be made that their financial care will be met.

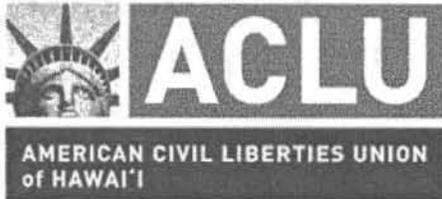
In viewing the bill, I would support the limit for benefits to be eligible; however, it is not clear if the limitations would be based on per illness or per receiving. Is this measure meant to be identical to the TANF limitations of 5 years? It is fair to say that a recipient can find work within the twelve months while healing from the disability unless deemed totally disabled in which other federal funded programs may be appropriate.

Again I thank you for your time and ask that you **SUPPORT the bill with suggested CHANGES**. People need to be more responsible for their decisions and actions, more importantly for the direction of their lives. This gives the singles and couples without children the opportunity to take a responsibility and direction for their lives.

Should you have any questions or need additional information feel free to call me at 426-4647, 682-4673 or 783-9302.

Mahalo,

Kanani Kaaiawahia Bulawan



**BY EMAIL:** [HMStestimony@capitol.hawaii.gov](mailto:HMStestimony@capitol.hawaii.gov)

Committee: Committee on Housing

Hearing Date/Time: Thursday, February 12, 2009, 1:45 p.m.

Place: Room 016

Re: *Testimony of the ACLU of Hawaii in Opposition to S.B. 916, Relating to General Assistance*

Dear Chair Chun Oakland and Members of the Committee on Human Services:

The American Civil Liberties Union of Hawaii ("ACLU of Hawaii") writes in opposition to S.B. 916, which seeks to place a 12-month limit on general assistance to households without minor dependents.

This bill severely and unnecessarily punishes poor people. In this time of high and rising unemployment and housing prices, we should not be considering ways to restrict assistance to poor individuals, some of our most vulnerable citizens. Restricting general assistance access to these already low-income individuals will stretch our homeless resources to the breaking point and cost us much more in the long run. Hawaii would be better served by providing support to individuals and families seeking to transition out of general assistance.

The mission of the ACLU of Hawaii is to protect the fundamental freedoms enshrined in the U.S. and State Constitutions. The ACLU of Hawaii fulfills this through legislative, litigation, and public education programs statewide. The ACLU of Hawaii is a non-partisan and private non-profit organization that provides its services at no cost to the public and does not accept government funds. The ACLU of Hawaii has been serving Hawaii for over 40 years.

Thank you for this opportunity to testify.

Sincerely,

Laurie A. Temple  
Staff Attorney  
ACLU of Hawaii

American Civil Liberties Union of Hawaii  
P.O. Box 3410  
Honolulu, Hawaii 96801  
T: 808.522-5900  
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E: [office@acluhawaii.org](mailto:office@acluhawaii.org)  
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SB916, Relating to GA  
HMS; Chair, Sen Chun-Oakland

**PLEASE KILL OR MODIFY THIS BILL!**

I realize that DHS is trying to accommodate to the fiscal crisis. But GA recipients are all disabled, all extremely vulnerable, and all are symbolic of what we mean by the safety net. GA recipients have nowhere to go if removed from GA.

This bill proposes making Recipients of GA limited to 1-year of benefits. The bill does seem to suggest that those in the process of applying for SSDI are exempt from that provision. However, the bill makes no sense. Unless the DHS guarantees that those who are to be removed from GA be transferred into the Aid to ABD program, what is the point of penalizing clients when the problems may lie with DHS.

For example, why would clients be removed? Typically, it might be because they do not follow-through on appointments, etc. But, as a professor of social work, I can tell you without equivocation that **it is the job of the social worker to make sure barriers to client progress are removed.**

This, clients must not be punished for the failing of workers!

**So, I ask that the time limit be modified to 2 years or to be removed all together.** *Our people need help in this awful fiscal environment!*

A second issue in this bill is changing the period of re-evaluation of eligibility from 1 year to 6 months. **I oppose this provision.** First, it is based on the mistaken idea that GA will be a 12-month program. Second, DHS does not have the personnel to even complete **1-year** re-evaluations! This provision must be dropped and the 1-year period for re-evaluations maintained.

I am very concerned that DHS is taking a decidedly anti-client perspective with these ideas. DHS must be closely monitored!

Thank you for considering these modifications.

Aloha, joel

Dr. Joel Fischer, ACSW  
President, 19-3, Democratic Party

Professor  
University of Hawai'i, School of Social Work  
Henke Hall  
Honolulu, HI 96822

SB916, Relating to General Assistance

HMS; Chair, Senator Chun-Oakland

Please do not pass SB916. As it stands, this bill tears a hole in one of our most basic safety nets, the General Assistance program. The changes to the General Assistance program proposed in this bill appear to be out of touch with actualities in the field, particularly the needs and capacities of recipients of General Assistance, as well as the capacities of providers.

The bill is written in such a way as to try to ensure that General Assistance is only used for people who do not have other avenues of aid. Its language appears to be attempting to protect the system from the recipients, rather than to protect the recipients. In actuality, General Assistance needs a modicum of flexibility and breadth to function as a safety net to take care of those who are most challenged.

This bill is written as though the recipients of General Assistance were people who could be expected to answer to the demands of the social system, when in fact, they need assistance precisely because they cannot meet these demands. For example, people with serious mental disabilities will not likely have a good attendance record at required meetings or at any job they might be able to get. If they are evaluated for removal from GA on this basis, we are imputing a capacity for tracking time and process and a capacity for social participation that may be beyond these recipients.

With the recent discrediting and letting go of many of the system's caseworkers, GA recipients will be even more challenged to make it to required appointments, follow up on applications, manage finances, etc. The proposed bill would place more demand on recipients at a time when so many of them are losing the caseworkers who previously helped them meet these demands. This very morning, one of the state's largest providers has cut all of its case management.

Furthermore, halving the time between re-evaluations places considerable demand on DHS personnel, who are perhaps already challenged to meet the current schedule.

Please do not pass this bill. If you could go out into the field, you would see the reality of the lives of the recipients. You would recognize what can and cannot be expected of them. You would perceive how their difficulties meeting challenges become compounded and escalate. Then you would understand what GA needs to do. Perhaps then a good bill could be written.

Chipping away at the GA program is renegeing on our responsibility to care for some of our most vulnerable and needy citizens, people who already subsist on less than many other citizens use for pocket money. You must save money, but please, this is not the place.

Sincerely,

Valerie S. Payton

vsp@hawaii.edu

Senate Bill 916

HMS: Chair, Senator Chun-Oakland

I strongly urge you to kill this bill. On paper, it appears this bill could save the State hundreds of thousands of dollars. This simply isn't true, it will cost the state in other ways. I had worked for The Arc in Hawaii for over twelve years supporting families. We had individuals with a disability come to our agency, who did not qualify for our services, they fell between the cracks. Prior to coming to us, in order to get supports they would go to the nearest ER to claim they heard voices to hurt themselves or others, this would give them a bed for a couple of nights, a meal, a social worker. The Arc would provide the individual with volunteer services to assist the person by showing them how to get general assistance, food stamps, and section 8. These individuals were to be reassessed on an annual basis, however, this rarely happened due to the lack of staffing available from DHS. When an individual was reassessed, if they were denied, typically they would go back to their old ways of claiming to hear voices in order to receive some sort of support services. They would then go back through the system and be able to receive public assistance again.

This bill changes the annual assessment to a bi-annual assessment, there simply is not enough staff to do this. The DHS workers would be stressed trying to meet this new requirement, it isn't fair to expect them to double their caseload. With such a burden a worker would be prone to make mistakes. With the State hiring freezes and budget cuts, there would not be additional staff hired. If this bill would pass, it appears it is setting up the state for failure, it does not appear to be possible to meet the bi-annual reassessment.

Furthermore, after just 12 months to cut a persons' assistance who has no other means, would seem to be setting the person up for failure, having to turn to petty thefts to or even felony crimes in order to survive.

It seems like a better thing to do, would be after six months, instead of reassessing the individual, require the individual to seek services from the Department of Vocational Rehab, let DVR assess the individual and help them get employment, once employed, only than look at cutting the individuals general assistance. Set the individual up for success, not failure. Thank you for this opportunity to testify.

FAX-1-800-587-6657 OR (808) 538-0001  
TESTIMONY - THE SENATE - 25<sup>TH</sup> LEGISLATURE

REGULAR SESSION OF 2009 2/12/09 1:45 PM  
CONF. RM. 016 STATE CAPITOL 415 BERETANIA ST  
HONOLULU, HI TRUCE END

NAME: MARGARET LEVY-DOHANDS, CNA.  
POSITION: BOARD MEMBER

ORGANIZATION: STATEWIDE INDEPENDENT LIVING COUNCIL

DATE: 2/12/09  
TIME: 1:45 PM

COMMITTEE DIRECTION: COMMITTEE ON HUMAN SERVICES  
SEN. CHUN OAKLAND, SEN. IHARA

- 1. MEASURE # SB 1210 - I AM AGAIN THIS MEASURE
- 2 " " SB 1189 - "
- 3 " " SB 915 - "
- 4 " " SB 918 - "
- 5 " " SB 1330 - "
- 6 " " SB 924 - "
- 7 " " SB 1177 - "
- 8 " " SB 913 - "
- 9 " " SB 916 - "

- I AM FOR THE FOLLOWING MEASURES
- 10. MEASURE # SB 1016 - I AM FOR THIS MEASURE
- 11. " " SB 133 - "
- 12. " " SB 801 - "
- 13 " " SB 1006 - "
- 14 " " SB 1014 - "

THANK YOU  
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