STAND. COM. REP. NO. 895

Honolulu, Hawaii

MAR 2 4 2011

RE: H.B. No. 761

H.D. 1 S.D. 1

Honorable Shan S. Tsutsui President of the Senate Twenty-Sixth State Legislature Regular Session of 2011 State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 761, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INTELLECTUAL DISABILITIES,"

begs leave to report as follows:

The purpose and intent of this measure is to amend references in the Hawaii Revised Statutes by substituting "intellectual disabilities", or like term, wherever the term "mental retardation", or like term, appears.

Your Committee received testimony in support of this measure from the Department of Health, State Council on Developmental Disabilities, Disability and Communication Access Board, Kauai Developmental Disabilities Committee, Maui County Developmental Disabilities Committee, Special Education Advisory Council, Hawaii Disability Rights Center, Hawaii Waiver Providers Association, Family Voices of Hawaii, and seventeen individuals.

Your Committee finds that individuals with intellectual disabilities deserve to be treated with greater dignity and respect. Changing references from "mental retardation" to "intellectual disability" within the Hawaii Revised Statutes appropriately reflects current and evolving terminology. Your Committee also finds that the term "intellectual disability" is recognized by the federal government and used in federal health, education, and labor laws. Hawaii will join the federal government, national organizations, and consumer advocacy groups

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that have changed their language from "mental retardation" to "intellectual disability", and in doing so, respect people first.

Your Committee has amended this measure by:

- (1) Deleting section 18, which would have required departments affected by the amendments in this measure to adopt or amend the relevant Hawaii Administrative Rules before January 1, 2015; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 761, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 761, H.D. 1, S.D. 1, and be referred to the Committee on Judiciary and Labor.

Respectfully submitted on behalf of the members of the Committee on Human Services,

ENTANNO CHUN CABLAND, Chair

The Senate Twenty-Sixth Legislature State of Hawai'i

Record of Votes Committee on Human Services HMS

Bill / Resolution No.:* Committee Referral: Date: 3-22-11				
HB761, HD1 HMS, JDL 3-22-11				
The committee is reconsidering its previous decision on this measure.				
If so, then the previous decision was to:				
The Recommendation is:				
Pass, unamended Pass, with amendments Hold Recommit 2312 2311 2310 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	V			
IHARA, Jr., Les (VC)	V			
GREEN, M.D., Josh	V			
SLOM, Sam				V
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Recommendation: Adopted Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Jink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

^{*}Only one measure per Record of Votes