



**TESTIMONY OF
THE DEPARTMENT OF THE ATTORNEY GENERAL
TWENTY-EIGHTH LEGISLATURE, 2015**

ON THE FOLLOWING MEASURE:

S.C.R. NO. 79, REQUESTING THE DEPARTMENT OF ATTORNEY GENERAL TO CONVENE A TASK FORCE TO INVESTIGATE AND COORDINATE THE PROVISION OF MEDICAL, EDUCATIONAL, HOUSING, AND SOCIAL SERVICES TO MIGRANTS FROM FREELY ASSOCIATED STATES.

BEFORE THE:

SENATE COMMITTEE ON JUDICIARY AND LABOR

DATE: Monday, March 30, 2015 **TIME:** 9:20 a.m.

LOCATION: State Capitol, Room 16

TESTIFIER(S): Douglas S. Chin, Attorney General, or
James W. Walther, Deputy Attorney General

Chair Keith-Agaran and Members of the Committee:

The Department of the Attorney General appreciates the intent of this measure, but respectfully points out that a similar task force was previously convened by the Department in 2007 for the same purpose. The Compacts of Free Association Task Force produced a report with recommendations to the 2009 Legislature that addressed the issues raised by this resolution. A copy of that report can be found at:

<http://ag.hawaii.gov/wp-content/uploads/2013/01/cofa.pdf>

At around the same time, the University of Hawaii Center for Pacific Island Studies hosted a conference entitled "Micronesian Voices in Hawaii" and produced a report with similar findings and recommendations as the Compact of Free Association Task Force. A copy of that report can be found at:

<http://hawaii.edu/cpis/2008conf/april2008resources.htm>

In addition there are several other individuals and groups who have studied the impacts and experiences of migrants in the U.S. from the COFA nations. *See, e.g.,*

www.cjhp.org/volume7_2009/issue2/yamada.pdf,

www.health.hawaii.gov/healthequity/files/2013/08/Pobutsky1.pdf

Based on the existing comprehensive assessments, the needs of the migrant population in Hawaii appear to be commonly known and understood by various stakeholders. To avoid unnecessary or duplicative work, we respectfully request that this measure be held and the

Legislature look at the existing literature for guidance on developing policies and programs for services to the COFA migrant population. In the alternative, we would suggest that the scope of the resolution be narrowed to focus on one or two of the recommendations of the earlier task force, with a goal of developing a plan for implementing those recommendations. Finally, if a new task force is convened, we would suggest that it be convened by an agency that has a more direct connection to the stakeholders.



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

March 29, 2015

TO: The Honorable Gilbert S.C. Keith-Agaran, Chair
Senate Committee on Judiciary & Labor

FROM: Rachael Wong, Director

SUBJECT: **SCR 79: REQUESTING THE DEPARTMENT OF ATTORNEY
GENERAL TO CONVENE A TASK FORCE TO INVESTIGATE AND
COORDINATE THE PROVISION OF MEDICAL, EDUCATIONAL,
HOUSING, AND SOCIAL SERVICES TO MIGRANTS FROM
FREELY ASSOCIATED STATES.**

Hearing: Monday, March 30, 2015; 9:20 a.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of this Senate Concurrent Resolution is to request the Department of the Attorney General to convene a task force to investigate and coordinate the provision of medical, educational, housing, and social services to migrants from the states encompassed in the Compact of Free Association.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of the measure and offers the following comments. The DHS shares the concerns of the resolution's drafters regarding how current federal funding levels fall below the amount required to meet the needs of the COFA migrants on the State's public benefits and social services.

For example, the DHS continues to provide Medicaid coverage for COFA migrants who are Aged, Blind, and Disabled, and Pregnant Women and Children. For calendar year 2014, the total general funds paid for these COFA Medicaid enrollees was \$16,109,448. The total amount

received from the U.S. Department of Interior (DOI) for medical services for the COFA for FY2014 was approximately \$11,000,000, leaving a shortfall to be covered by state general funds of \$5,109,448. The amount available from the DOI for Medicaid services in federal FY2015 is approximately \$12,000,000. The DHS anticipates a similar short fall requiring state general funds in FY2015. The DHS and the Department of the Attorney General maintain contact with the DOI regarding these federal funds provided on behalf of COFA migrants in Hawaii.

Prior to March 1, 2015, work able bodied adult non-citizens who were eligible for Medicaid, received coverage through the DHS.

On March 1, 2015, the work able bodied adult non-citizens, including COFA migrants and other lawfully present non-citizens in the US for less than 5 years, were transitioned from Medicaid to the Hawaii Health Connector for their medical insurance needs. To assist with the payment of insurance plan premiums, the DHS launched the Premium Assistance Program, a completely state funded program that will pay the premium for a qualified Silver level plan for non-citizens who would have otherwise been eligible for Medicaid but for their citizenship. The premium payment will be sent directly to the insurance plan. The DHS continues to work with the Hawaii Health Connector and qualified health plans regarding this transition.

The DHS already maintains information regarding the state funded costs for the numerous other public benefits provided to COFA migrants by the DHS.

The DHS defers to the testimony of the Department of the Attorney General with regard to the assessments that already exist, and concurs that the scope of the task force be narrowed to one or two of the recommendations of the earlier and other work groups. Additionally, there are community groups, not identified by the resolution, who are addressing issues that affect COFA migrants in Hawaii, and the DHS suggests that the task force include other interested parties.

Thank you for the opportunity to testify on this measure.

From: mailinglist@capitol.hawaii.gov
To: [JDLTestimony](#)
Cc:
Subject: *Submitted testimony for SCR79 on Mar 30, 2015 09:20AM*
Date: Wednesday, March 25, 2015 5:26:26 PM

SCR79

Submitted on: 3/25/2015

Testimony for JDL on Mar 30, 2015 09:20AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Javier Mendez-Alvarez	Individual	Support	No

Comments:

Please note that testimony submitted less than 24 hours prior to the hearing, improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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SCR79

Submitted on: 3/25/2015

Testimony for JDL on Mar 30, 2015 09:20AM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Kenneth R. Conklin, Ph.D.	Individual	Support	No

Comments: I strongly support this resolution. The resolution states that \$628,752,28 has been spent by Hawaii taxpayers to pay costs from 2004 to 2010 for people who are not even citizens of the U.S. or of Hawaii. This is an obligation of the U.S. government and should be paid for by the U.S. government. Let's hope that Assistant Secretary of Interior Esther Kia'aina, a citizen of Hawaii, can fight through the federal bureaucracy to obtain the funds our state is entitled to.

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