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## SENATE RESOLUTION

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REQUESTING THE ESTABLISHMENT OF A WORKING GROUP TO EXAMINE HOW  
THE DEPARTMENT OF EDUCATION CAN MAXIMIZE MEDICAID  
REIMBURSEMENT FOR SUPPORT SERVICES OFFERED TO ELIGIBLE  
STUDENTS DURING SCHOOL HOURS.

1 WHEREAS, the federal Individuals with Disabilities  
2 Education Act and state laws require the Department of Education  
3 to provide a free appropriate public education, which includes a  
4 continuum of services, to students who are eligible for special  
5 education and related services; and  
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7 WHEREAS, special education may include but is not limited  
8 to academic services, speech-language services, psychological  
9 services, physical and occupational therapy, counseling  
10 services, and parent education, all at no cost to parents; and  
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12 WHEREAS, if a student is found eligible to receive special  
13 education, services are provided to the student through an  
14 individualized education plan, which is a written statement  
15 about the educational program for a child with a disability,  
16 serves as a management tool to ensure that the child receives  
17 the needed special education and related services, and is an  
18 evaluation device when used to determine the extent of the  
19 child's progress toward accomplishing projected goals; and  
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21 WHEREAS, the Child and Adolescent Mental Health Division of  
22 the Department of Health has a statewide mandate as a result of  
23 the Felix Consent Decree to work with the Department of  
24 Education to provide services to special education youth with  
25 severe mental health conditions and should be able to receive  
26 payment from MedQUEST for reimbursement for services provided to  
27 Medicaid eligible children and adolescents; and  
28

29 WHEREAS, because of how critical it is for all students to  
30 receive a quality public education, this body recognizes that a  
31 review of the Department of Education's effectiveness and



1 efficiency in maximizing Medicaid reimbursements for support  
2 services to eligible students is necessary; now, therefore,

3  
4 BE IT RESOLVED by the Senate of the Twenty-ninth  
5 Legislature of the State of Hawaii, Regular Session of 2018,  
6 that a working group be established to examine how the  
7 Department of Education can maximize Medicaid reimbursement for  
8 support services offered to eligible students during school  
9 hours; and

10  
11 BE IT FURTHER RESOLVED that the working group include the  
12 following members:

- 13  
14 (1) The Superintendent of Education, or the  
15 Superintendent's designee;  
16  
17 (2) The MedQUEST Administrator, or the Administrator's  
18 designee;  
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20 (3) A MedQUEST health care services representative;  
21  
22 (4) The Deputy Attorneys General representing the  
23 Department of Human Services and Department of  
24 Education, or their respective designees;  
25  
26 (5) The Chair of the Senate Committee on Education, to  
27 serve as co-chair;  
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29 (6) The Chair of the House of Representatives Committee on  
30 Education, to serve as co-chair; and  
31  
32 (7) Any other persons as may be invited by the working  
33 group; and  
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35 BE IT FURTHER RESOLVED that the working group convene by  
36 August 1, 2018; and  
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38 BE IT FURTHER RESOLVED that the agenda at the first  
39 convening of the working group include an update on Medicaid  
40 billing; and  
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1 BE IT FURTHER RESOLVED that in the working group's  
2 examination on maximizing Medicaid reimbursement for support  
3 services offered during school hours by the Department of  
4 Education include but not be limited to:

5  
6 (1) Occupational and physical therapy;

7  
8 (2) Speech pathology;

9  
10 (3) Applied behavior analysis; and

11  
12 (4) Other wellness supports that benefit a student's  
13 learning and growth; and  
14

15 BE IT FURTHER RESOLVED that certified copies of this  
16 Resolution be transmitted to the Superintendent of Education,  
17 Attorney General, MedQUEST Division Administrator, Chair of the  
18 Senate Committee on Education, and Chair of the House of  
19 Representatives Committee on Education.

