STAND. COM. REP. NO. 177

Honolulu, Hawaii FUONAM 7 , 2019

RE: H.B. No. 42 H.D. 1

Honorable Scott K. Saiki Speaker, House of Representatives Thirtieth State Legislature Regular Session of 2019 State of Hawaii

Sir:

Your Committee on Health, to which was referred H.B. No. 42 entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to assist persons who have been diagnosed with autism to participate in their communities by providing medicaid coverage for home and community-based services.

The Hawaii International Child Placement and Family Services, Inc., O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawaii, Hawaii for Informed Consent, Hawaii Psychological Association, Hawaiian Islands Association for Marriage and Family Therapy, and several individuals testified in support of this measure. The Department of Health testified in opposition to this measure. The Department of Human Services, Hawaii Medical Service Association, and Hawaii Disability Rights Center provided comments.

Your Committee has amended this measure by:

(1) Removing its substantive language and inserting new language creating a task force to study issues relating to access to essential services for the State's intellectually and developmentally disabled individuals;

- (2) Changing the effective date to July 1, 2050, to promote further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

Your Committee notes the testimonies from the Department of Health and Department of Human Services indicate that Medicaid approval of home and community-based services are determined based on the level of care assessment, and not medical diagnosis. As such, should this bill be enacted as introduced, there is a concern that ensuring home and community services are provided to all individuals diagnosed with autism, regardless of the level of care needed, would divert resources away from individuals in need of services who have not been diagnosed with autism. Your Committee finds that a broader study of issues relating to accessing existing essential services would better serve the larger intellectually and developmentally disabled communities.

As affirmed by the record of votes of the members of your Committee on Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 42, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 42, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

Respectfully submitted on behalf of the members of the Committee on Health,

OHN M. MIZUNO, Chai

State of Hawaii House of Representatives The THIRTIETH Legislature #\$4.77

Record of Votes of the Committee on Health

Bill/Resolution No.: HBHT	Committee Referral: HLT, CPC, 7	Date:	1-31-1	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)				
HLT Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)				
2. KOBAYASHI, Bertrand (VC)				
2. ROBATASIII, Dettraild (VC)				
3. BELATTI, Della Au				
4. NAKAMURA, Nadine K.				
5. SAN BUENAVENTURA, Joy A.				<u></u>
5. SAN BUENA VENTURA, JUY A.				
6. SAY, Calvin K.Y.				A Commission of the Commission
7. TOKIOKA, James Kunane		Anna Milingon a ann a	. Da amerijaa	
8. WARD, Gene				
o. WARD, Gene				
TOTAL (8)	7			
The recommendation is: Adopted Not Adopted If joint referral, did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature:				
Distribution: Original (White) - Committee Duplicate (Yellow) - Chief Clerk's Office Duplicate (Pink) - HMSO				