

STAND. COM. REP. NO. 1046-20

Honolulu, Hawaii

MAR 13, 2020

RE: S.B. No. 3122  
S.D. 2  
H.D. 1

Honorable Scott K. Saiki  
Speaker, House of Representatives  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Human Services & Homelessness, to which was referred S.B. No. 3122, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO HEALTH,"

begs leave to report as follows:

The purpose of this measure is to require the Department of Human Services, upon approval from the Centers for Medicare and Medicaid Services, to establish and implement a program to provide home- and community-based services to at-risk individuals with intellectual or developmental disabilities who do not meet Medicaid's institutional level of care criteria for home- and community-based services and appropriate funds for the program.

Your Committee received testimony in support of this measure from the State Council on Developmental Disabilities, Hawaii Substance Abuse Coalition, Coalition for a Drug-Free Hawaii, and nine individuals. Your Committee received comments on this measure from the Department of Human Services, Department of Health, and Hilopaa.

Your Committee finds that there is a gap in the continuum of care for at-risk individuals with intellectual disabilities or developmental disabilities who are unable to access home- and community-based services. These individuals are often at-risk of

SB3122 HD1 HSCR HSH HMS 2020-1727



institutionalization because they may not receive proper supports to ensure their transition to and through adulthood. This measure is intended to provide essential supports to at-risk individuals as they transition from youth to adulthood to maximize their independence and potential to thrive throughout life.

However, your Committee notes that the number of people potentially covered by this measure is unknown. Your Committee finds that it is prudent at this point to convene a working group to study the implementation and design of a program for at-risk individuals, including estimating total costs associated with delivering such a program.

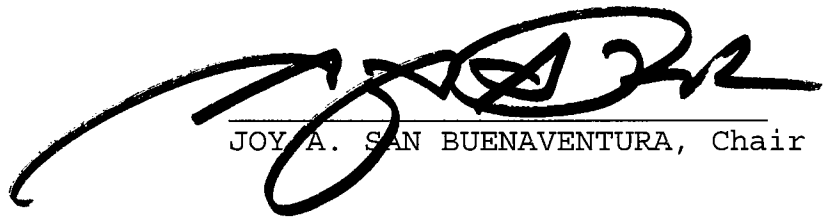
Your Committee has amended this measure by:

- (1) Removing language that would have required the Department of Human Services to seek approval from the Centers for Medicare and Medicaid Services and establish and implement a program to provide home- and community-based services to at-risk individuals with intellectual or developmental disabilities who do not meet Medicaid's institutional level of care criteria for home- and community-based services and appropriated funds for the program;
- (2) Requiring the State Council on Developmental Disabilities to:
  - (A) Convene a working group to study the design and implementation of a program, including cost estimations, for providing home- and community-based services to individuals with intellectual or developmental disabilities who are found, through assessment, to be at risk of institutionalization; and
  - (B) Submit a report to the Legislature prior to the Regular Session of 2021;
- (3) Changing its effective date to December 31, 2059, to encourage further discussion; and
- (4) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.



As affirmed by the record of votes of the members of your Committee on Human Services & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 3122, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 3122, S.D. 2, H.D. 1, and be referred to your Committee on Consumer Protection & Commerce.

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



JOY A. SAN BUENAVENTURA, Chair



