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# A BILL FOR AN ACT

RELATING TO HEALTH.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that many children with  
2 autism spectrum disorder or fetal alcohol spectrum disorder have  
3 high needs for intensive behavioral therapies when forced to  
4 adapt to new situations and activities during their transition  
5 into adulthood. However, at age twenty-one, people with autism  
6 spectrum disorder or fetal alcohol spectrum disorder no longer  
7 qualify for medicaid coverage under the early and periodic  
8 screening, diagnostic, and treatment medicaid benefit, and there  
9 is no mandate that these services be provided.

10           The purpose of this Act is to prepare for the extension of  
11 behavioral modification services for individuals twenty-six  
12 years of age of younger with autism spectrum disorder or fetal  
13 alcohol spectrum disorder.

14           SECTION 2. The department of health, department of human  
15 services, and department of education shall research any rules,  
16 policies, and state plan amendments that are necessary to ensure  
17 that clinically appropriate treatments and services for



1 individuals twenty-six years of age of younger with autism  
2 spectrum disorder or fetal alcohol spectrum disorder are covered  
3 under the following:

- 4 (1) The early and periodic screening, diagnostic, and  
5 treatment benefit under the State's medicaid program;
- 6 (2) Any applicable state special education services and  
7 programs; and
- 8 (3) The medicaid section 1915(c) home and community based  
9 services waiver for individuals with intellectual and  
10 developmental disabilities.

11 SECTION 3. There is appropriated out of the general  
12 revenues of the State of Hawaii the sum of \$                    or so  
13 much thereof as may be necessary for fiscal year 2024-2025 for  
14 the department of health, department of human services, and  
15 department of education to carry out the research of rules,  
16 policies, and state plan amendments as required under section 2  
17 of this Act.

18 The sum appropriated shall be expended by the department of  
19 human services for the purposes of this Act.

20 SECTION 4. In accordance with section 9 of article VII of  
21 the Hawaii State Constitution and sections 37-91 and 37-93,



# H.B. NO. 2217

1 Hawaii Revised Statutes, the legislature has determined that the  
 2 appropriations contained in H.B. No. , will cause the state  
 3 general fund expenditure ceiling for fiscal year 2024-2025 to be  
 4 exceeded by \$ or per cent. In addition, the  
 5 appropriation contained in this Act will cause the general fund  
 6 expenditure ceiling for fiscal year 2024-2025 to be further  
 7 exceeded by \$ or per cent. The combined total  
 8 amount of general fund appropriations contained in only these  
 9 two Acts will cause the state general fund expenditure ceiling  
 10 for fiscal year 2024-2025 to be exceeded by  
 11 \$ or per cent. The reasons for exceeding the  
 12 general fund expenditure ceiling are that:

- 13 (1) The appropriation made in this Act is necessary to
- 14 serve the public interest; and
- 15 (2) The appropriation made in this Act meets the needs
- 16 addressed by this Act.

17 SECTION 5. This Act shall take effect on July 1, 2024.

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INTRODUCED BY: *Lisa Muter*  
 JAN 22 2024



# H.B. NO. 2217

**Report Title:**

Medicaid; Coverage; Autism Spectrum Disorder; Fetal Alcohol Spectrum Disorder; Behavioral Modification Services; DOH; DHS; DOE; Appropriation; Expenditure Ceiling

**Description:**

Requires the Departments of Health, Human Services, and Education to research any rules, policies, and state plan amendments that are necessary to ensure that clinically appropriate treatments and services for individuals twenty-six years of age or younger with autism spectrum disorder or fetal alcohol spectrum disorder are considered covered benefits under the State's medicaid program. Appropriates funds.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

