

ACT 269

H.B. NO. 2778-82

A Bill for an Act Relating to Exceptional Children.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The purpose of this bill is to amend section 301-27 to reflect the department of health's responsibility for certain related services and to identify more specifically the role of the department of health in ensuring the provision of these services, such as occupational therapy, physical therapy, school health services, medical services for diagnostic or evaluative purposes, and mental health. This would greatly emphasize responsibility of the State to implement PL 94-142 and the role of the state educational agency providing these services to the exceptional child. This would also aid in clearing the uncertainty on specific roles each agency plays in support of the handicapped child.

SECTION 2. Section 301-27, Hawaii Revised Statutes, is amended to read:

"§301-27 [Physiotherapist and occupational therapist to be provided.] Occupational therapy services, physical therapy services, school health services, mental health services, and medical services for diagnostic or evaluative purposes.
The department of health [may, in cooperation with the department of education, provide one physiotherapist and one occupational therapist] shall, within the funds available, be responsible for the related services of occupational therapy, physical therapy, school health, mental health, and medical services for evaluation or diagnostic purposes, and shall, within the funds available provide for those exceptional children needing such services who attend public school in the [primary and elementary grades within the schools of the city and county of Honolulu needing such services,] State of Hawaii. [and, in that connection, may accept funds from private sources and divert any funds appropriated to the department of health whenever in the opinion of the department such funds can be used to better advantage by being so diverted.] The department of health shall work in cooperation with the department of education to implement this section. The procedures to implement this section shall be in accordance with the department of health's rules and regulations."

SECTION 3. Statutory material to be repealed is bracketed. New material is underscored.

SECTION 4. This Act shall take effect upon its approval.

(Approved June 17, 1982.)