

ACT 197

H.B. NO. 2024

A Bill for an Act Relating to the Department of Human Services.

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

SECTION 1. Chapter 348, Hawaii Revised Statutes, is amended by adding two new sections to be appropriately designated and to read as follows:

“§348- State advisory council on rehabilitation. (a) There is established within the department of human services a state advisory council on rehabilitation. The council shall consist of nineteen members appointed by the governor as provided in section 26-34. The members shall include:

- (1) At least one representative of the statewide council on independent living;
- (2) At least one representative of a parent training and information center;
- (3) At least one representative of the client assistance program;
- (4) At least one vocational rehabilitation counselor with knowledge of and experience with vocational rehabilitation programs, who shall serve as an ex officio, nonvoting member if employed by the vocational rehabilitation division of the department;
- (5) At least one representative of community rehabilitation program service providers;
- (6) At least four representatives of business, industry, and labor;
- (7) Representatives of disability advocacy groups representing a cross section of individuals with physical, cognitive, sensory, and mental disabilities, and parents, family members, guardians, advocates, or authorized representatives of individuals with disabilities who have difficulty in representing themselves or are unable due to their disabilities to represent themselves;

- (8) Current or former applicants for or recipients of vocational rehabilitation services; and
- (9) The director of human services, who shall be an ex officio member.

A majority of the council members shall be persons who have disabilities and are not employed by the department. The council members shall elect a chairperson from the membership. Each member of the council shall serve a three-year term but may not serve more than two consecutive full terms.

(b) The council members shall serve without compensation but shall be reimbursed for reasonable expenses, including travel expenses, necessary for the performance of their duties.

(c) The council shall advise the department on eligibility, order of selection, services provided, performance of the department in providing services, and review the effectiveness of, and consumer satisfaction with, the performance of the department and other public and private entities. The council shall prepare and submit an annual report to the governor on the status of the vocational rehabilitation programs within the State and make the report available to the public.

(d) The council shall coordinate with other councils within the State including the statewide independent living council, the state planning council on developmental disabilities, the state council on mental health and substance abuse, and the advisory panel of individuals with disabilities in education. The council shall establish working relationships between the department and such councils and coordinate other functions as deemed appropriate under federal law.

(e) If there is a disagreement between the council and the department, the disagreement shall be resolved by the governor.

§348- Statewide council on independent living. (a) There is established within the department of human services a statewide council on independent living. The council shall consist of nineteen members appointed by the governor as provided in section 26-34. The members shall include:

- (1) At least one director of a center for independent living chosen by the directors of centers for independent living;
- (2) An employee of the department as an ex officio nonvoting member; and
- (3) Members of other state agencies that provide services for individuals with disabilities as ex officio nonvoting members.

The council may also include:

- (1) Additional representatives from centers for independent living;
- (2) Parents and guardians of individuals with disabilities;
- (3) Advocates of and for individuals with disabilities;
- (4) Representatives from private business;
- (5) Representatives from organizations that provide services;
- (6) Other appropriate individuals.

A majority of the council shall be individuals with disabilities who are not employed by any state agency or center for independent living. The council shall elect a chairperson from the membership. Each member shall serve a term of three years and may not serve more than two consecutive full terms.

(b) The council members shall serve without compensation but shall be reimbursed for reasonable expenses, including travel expenses, necessary for the performance of their duties.

(c) The council shall:

- (1) Develop and submit jointly with the department a state plan;
- (2) Monitor, review, and evaluate the implementation of the state plan;
- (3) Coordinate activities with the state advisory council on rehabilitation; and

- (4) Submit to the commissioner of the rehabilitation services administration such periodic reports as are requested.”

SECTION 2. Section 26-14, Hawaii Revised Statutes, is amended by amending subsection (a) to read as follows:

“(a) The department of human services shall be headed by a single executive to be known as the director of human services.

There shall be within the department of human services a commission to be known as the board of human services which shall sit in an advisory capacity to the director of human services on matters within the jurisdiction of the department of human services. The board shall consist of ten members: one person from each county, other than the county of Kalawao, and five at large, and the director of health as an ex officio nonvoting member.

[There shall also be within the department a commission to be known as the board of vocational rehabilitation which shall sit in an advisory capacity to the head of that division charged with the administration of vocational rehabilitation laws and allied services. The board shall consist of eleven members, one person from each judicial circuit and four at large, with the directors of health and labor and industrial relations, and the superintendent of education, as ex officio voting members.]”

SECTION 4.¹ Statutory material to be repealed is bracketed. New statutory material is underscored.²

SECTION 5.¹ This Act shall take effect July 1, 1993.

(Approved June 10, 1993.)

Notes

1. So in original.
2. Edited pursuant to HRS §23G-16.5.