

A Bill for an Act Relating to Early Intervention.

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

SECTION 1. The purpose of this Act is to establish the early intervention special fund (special fund) and the early intervention trust fund (trust fund) to enhance early intervention services to infants and toddlers with special needs by maximizing federal reimbursement and facilitating private contributions. Federal reimbursements for eligible early intervention services funded by legislative appropriations will be deposited into the special fund. Private donations and federal reimbursements for eligible early intervention services funded by private donations will be deposited into the trust fund. Moneys from both funds will be used to provide additional early intervention services. Grants will be made from the funds to public agencies, private nonprofit organizations, or qualified individuals for provision of community-based, family-centered, early intervention services.

SECTION 2. Chapter 321, Hawaii Revised Statutes, is amended by adding four¹ new sections to part XXVIII to be appropriately designated and to read as follows:

“**§321- Early intervention special fund.** (a) There is established in the state treasury a special fund to be known as the early intervention special fund to be administered by the department in accordance with this section.

(b) The fund shall consist of grants and income earned by the special fund. Notwithstanding section 29-24, all program income consisting of federal reimbursement funds received by the State for early intervention funded by legislative appropriations under this part shall be deposited into the special fund; provided that no state appropriations shall be deposited into the special fund.

§321- Early intervention trust fund. (a) There is established in the state treasury a trust fund to be known as the early intervention trust fund to be administered by the department in accordance with this section.

(b) The trust fund shall consist of government grants and private contributions including, but not limited to, gifts or donations from corporations or other businesses, foundations, individuals, and other interested parties, and income earned by the trust fund. Notwithstanding section 29-24, all program income consisting of federal reimbursement funds received by the State for early intervention funded by private donations and contributions under this part shall be deposited into the trust fund.

§321- Early intervention funds; purpose and use. (a) The purpose of the early intervention special fund and early intervention trust fund is to expand and enhance early intervention services for infants and toddlers with special needs by providing a cooperative funding mechanism between the public and private sectors to work together to make and secure appropriations and donations to the funds.

(b) The department may make grants from the funds under chapter 42D, pursuant to criteria and procedures established by rules adopted pursuant to chapter 91, for community-based, family-centered, early intervention services including, but not limited to:

- (1) Programs to provide early intervention services for infants and toddlers with developmental delays or at biological or environmental risk;

- (2) Family support programs to strengthen families to reduce the risk of child abuse and neglect;
 - (3) Training and education for professionals, paraprofessionals, and families; and
 - (4) Research, evaluation, and data management related to early intervention services.
- (c) Grants made under subsection (b) shall take the following forms:
- (1) Grants to private nonprofit organizations, public agencies, or qualified individuals to provide community-based, family-centered, early intervention services; and
 - (2) Direct payments for services, educational materials, training, quality assurance, equipment, data collection, and program evaluation.
- (d) The Hawaii early intervention coordinating council shall make recommendations to the department for the expenditure of moneys from the funds.’’

SECTION 3. There is appropriated out of the early intervention special fund the sum of \$3,200,000 or so much thereof as may be necessary and available for fiscal year 1997-1998 and the sum of \$4,600,000 or so much thereof as may be necessary and available for fiscal year 1998-1999 for early intervention services for infants and toddlers with special needs.

SECTION 4. There is appropriated out of the early intervention trust fund the sum of \$3,000,000 or so much thereof as may be necessary and available for fiscal year 1997-1998 and the sum of \$4,500,000 or so much thereof as may be necessary and available for fiscal year 1998-1999 for early intervention services for infants and toddlers with special needs.

SECTION 5. The sums appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 6. If any provision of this Act, or the application thereof to any person or circumstance is held invalid, the invalidity does not affect other provisions or applications of the Act which can be given effect without the invalid provision or application, and to this end the provisions of this Act are severable.

SECTION 7. New statutory material is underscored.²

SECTION 8. This Act shall take effect on July 1, 1997, and shall be repealed on June 30, 1999.

(Approved July 7, 1997.)

Notes

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