

ACT 149

H.B. NO. 2512

A Bill for an Act Relating to the Public Health Nursing Services Special Fund.

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

SECTION 1. The legislature finds that there is a critical need for comprehensive case management services for medically fragile children as defined by the early and periodic screening, diagnosis, and treatment medicaid program administered by the department of human services. Due to the lack of certified agencies in the communities to provide the services, the department of human services has requested that the public health nursing branch program of the department of health become a provider of last resort and receive and expend medicaid reimbursements for these services. This request is made because of the branch’s history and experiences with collaboration, coordination, transition, and family involvement in meeting the needs of vulnerable populations. Public health nurses are already providing these case management services because of the unavailability of certified case management agencies.

The purpose of this Act is to establish the public health nursing services special fund for early and periodic screening, diagnosis, and treatment case management services for families of medically fragile children below age twenty-one by maximizing federal reimbursement and facilitating access to a broad array of services essential to maintain this vulnerable population in the community. Medicaid reimbursements for the case management services will be deposited into the special fund. Moneys from the special fund will be used to provide ongoing case management services and to provide training in case management services for staff to meet the needs of the families of medically fragile children.

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

**“PART . PUBLIC HEALTH NURSING SERVICES SPECIAL FUND**

**§321- Definitions.** As used in this part, unless the context clearly requires otherwise:

“Case management services” means services that assist medically fragile children under the medicaid state plan in gaining access to needed medical, social, educational, and other services.

“Medically fragile children” means children under the age of twenty-one with complex medical conditions that may or may not require technological interventions, including but not limited to ventilator care, tracheostomy care, catheterizations, parenteral nutrition, complex enteral feeding, and complex wound care.

**§321- Public health nursing services special fund.** (a) There is established within the state treasury a special fund to be known as the public health nursing services special fund. The special fund shall be administered and expended by the department of health in accordance with this section.

(b) The department shall expend the special funds to provide ongoing case management services and to provide staff training in case management services in collaboration with the department of human services' medicaid early and periodic screening, diagnosis, and treatment program, including but not limited to:

- (1) Assessment of children who are medically fragile to determine service needs;
- (2) Development of a specific care plan;
- (3) Referral for and linkages to services to implement the specific care plan; and
- (4) Monitoring and follow-up.

(c) The special fund shall consist of medicaid reimbursements received by the department for case management services provided to families of medically fragile children.”

SECTION 3. There is appropriated out of the public health nursing services special fund the sum of \$90,720 or so much thereof as may be necessary for fiscal year 2002-2003 for case management services provided to families of medically fragile children.

The sum appropriated shall be expended by the department of health for the purposes of this Act.

SECTION 4. This Act shall take effect on July 1, 2002.

(Approved June 7, 2002.)