

A Bill for an Act Relating to the Hawaii Early Intervention Coordinating Council.

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

SECTION 1. Section 321-353, Hawaii Revised Statutes, is amended to read as follows:

“§321-353 Hawaii early intervention coordinating council; establishment.

(a) There is established within the department for administrative purposes the Hawaii early intervention coordinating council. Members shall be appointed for three-year terms by the governor without the necessity of the advice and consent of the senate. The ~~membership of the~~ council shall ~~consist of fifteen~~ comprise twenty-five members ~~selected from the following:~~ as follows:

- (1) At least ~~three~~ twenty per cent of the members shall be parents of infants~~;~~ or toddlers~~;~~ with special needs, or children ~~under the age of seven~~ with special needs~~;~~ aged twelve years or younger, with knowledge of, or experience with, programs for infants and toddlers with special needs; provided that at least one parent shall be a parent of an infant or toddler with special needs, or of a child with special needs aged six years or younger;
- (2) At least ~~three~~ twenty per cent of the members shall be public or private providers of early intervention services;
- (3) ~~[At least one representative]~~ Two members shall be from the legislature~~;~~, of which one member shall be selected by the president of the senate and one member shall be selected by the speaker of the house of representatives;
- (4) ~~[At least one person]~~ One member shall be involved in personnel preparation;
- (5) One member shall be from the department of health program involved in the provision of, or payment for, early intervention services to infants and toddlers with special needs and their families who has sufficient authority to engage in policy planning and implementation on behalf of the program;
- (6) One member shall be from the department of health program responsible for children's mental health;
- ~~[(5) At least one]~~ (7) One member ~~representing~~ shall be from the department of education~~;~~ program responsible for preschool services to children with disabilities who has sufficient authority to engage in policy planning and implementation on behalf of the program;
- (8) One member shall be from the department of education program responsible for the coordination of education of homeless children and youths;
- ~~[(6) At least one]~~ (9) One member ~~representing~~ shall be from the department of human services~~;~~ program responsible for the state medicaid program;
- (10) One member shall be from the department of human services program responsible for child care;
- (11) One member shall be from the department of human services program responsible for foster care;

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- (12) One member shall be from the department of commerce and consumer affairs program responsible for state regulation of health insurance;
- (13) One member shall be from a Head Start or Early Head Start agency or program in the State;
- ~~[(7) At least one member representing the office of the governor;] and~~
- ~~[(8) (14) Other members [representing private or public agencies] involved in or interested in [the payment for or provision of] services to infants and toddlers with special needs and their families[-] who are selected by the governor.~~

Any vacancy on the council shall be filled in the same manner in which the original position was filled.

(b) The council shall elect its officers, and ~~[eight]~~ thirteen members shall constitute a quorum. Members shall serve without compensation but shall be reimbursed for expenses, including travel expenses, necessary for the performance of their duties. No member shall cast a vote on any matter that is likely to provide a direct financial benefit to that member or otherwise give the appearance of a conflict of interest. No member from an executive or administrative department under chapter 26 may serve as the chairperson of the council.

(c) The council shall meet at least quarterly and in such places as it deems necessary. The meetings shall be publicly announced, and be open and accessible to the general public.

(d) The council shall perform the following functions:

- (1) Advise and assist the director in the identification of the sources of fiscal and other support for services for early intervention programs, assignment of financial responsibility to the appropriate agency, and the promotion of the interagency agreements;
- (2) Advise and assist the department in the preparation of applications and amendments thereto; ~~[and]~~
- (3) Advise and assist the department of education regarding the transition of toddlers with special needs to preschool and other appropriate services; and
- ~~[(3)]~~ (4) Prepare and submit an annual report to the governor on the status of early intervention programs for infants and toddlers with special needs and their families within the State.”

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

SECTION 3. This Act shall take effect on July 1, 2012.

(Approved April 30, 2012.)