

ACT 15

S.B. NO. 313

A Bill for an Act Relating to the State Rehabilitation Council.

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

SECTION 1. Section 348-8, Hawaii Revised Statutes, is amended to read as follows:

“§348-8 State rehabilitation council. (a) There is established within the department a state rehabilitation council. The council shall consist of [~~twenty-one~~ fifteen] members appointed by the governor as provided in section 26-34 and without regard to section 78-4. The members shall include:

- (1) At least one representative of a parent training and information center;
- (2) At least one representative of the client assistance program;

- (3) At least one qualified 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;
- (4) At least one representative of community rehabilitation program service providers;
- (5) Four representatives of business, industry, and labor;
- (6) 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;
- (7) Current or former applicants for or recipients of vocational rehabilitation services;
- (8) At least one representative of the state educational agency responsible for the public education of students with disabilities;
- (9) At least one representative of the state workforce development council; and
- (10) The administrator of the vocational rehabilitation division of the department, who shall be an ex officio, nonvoting member;

provided that the council shall include at least one member from each county; and provided further that a majority of the council members shall be persons who have disabilities and are not employed by the vocational rehabilitation division of 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~~[-];~~ provided that the member representing the client assistance program shall not be subject to term limits.

(b) Any vacancy occurring in the council membership shall be filled in the same manner as the original appointment, except that the governor may delegate the authority to fill ~~[such]~~ a vacancy to the remaining members of the council after making the original appointment. Any vacancy on the council shall not impair the authority of the remaining members to establish quorum by a simple majority of the remaining members and to exercise all the powers of the council.

~~[(b)]~~ (c) 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)]~~ (d) The council, after consulting with the state workforce development council, shall advise the vocational rehabilitation division of the department on eligibility, order of selection, extent, scope, and effectiveness of services provided, and performance of state agencies that affect or that potentially affect the ability of individuals with disabilities in achieving employment outcomes. The council shall develop, agree to, and review state goals and priorities, advise the vocational rehabilitation division of the department regarding authorized activities, and assist in the preparation of the state plan and amendments to the plan, applications, reports, needs assessment, and evaluations. The council shall conduct a review and analysis of the effectiveness of, and consumer satisfaction with, the performance by the vocational rehabilitation division of the department, vocational rehabilitation services provided by state agencies, and other public and private entities, and employment outcomes achieved by eligible individuals receiving services, including the availability of health and other employment benefits in connection with employment outcomes. The council shall prepare and submit an annual report to the governor on the status of vocational rehabilitation programs within the State and make the report available to the public.

~~[(d)]~~ (e) The council shall coordinate with other councils within the State including the state council on developmental disabilities, the state council on mental health, the advisory panel of individuals with disabilities in education, and the state workforce development council. The council shall establish working relationships between the vocational rehabilitation division of the department and other councils and coordinate other functions as deemed appropriate under federal law.

~~[(e)]~~ (f) If there is a disagreement between the council and the vocational rehabilitation division of the department, the disagreement shall be resolved by the governor.”

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

SECTION 3. This Act shall take effect upon its approval.

(Approved April 19, 2023.)