

DISABILITY-RELATED MEASURES

2008 Legislative Session

(as of May 12, 2008)

The Twenty Fourth Legislature adjourned on May 1, 2008. Important dates to remember are:

June 23: Deadline for Governor To Give Notice of Intent to Veto
July 8: Bill Becomes Law Without the Governor's Signature
(if no notice of intent to veto is given)

The following list includes bills, resolutions, and Governor's Messages upon which the Disability and Communication Access Board reviewed and took a position. If you would like to review any measure's history or see it in final form, contact Debbie Jackson at 586-8121 or go to www.capitol.hawaii.gov.

SENATE BILLS

1. SB 868, SD2 (HSCR 1615-08) – Relating to Boards and Commissions. Maintains a policy of open communications with boards and commissions when a department director is considering invoking their rights under section 26-35(a)(1), HRS, to represent a board or commission before the legislature.
Status: Enrolled to Governor on 4/4. Governor vetoed on 4/22. Veto override by Senate and House on 5/1. Enacted into law as **Act 60** on 5/1.
2. SB 2004, SD2, HD2, CD1 (CCR 121-08) – Relating to Education. Extends the deadline within which to file a request for a due process hearing relating to the education of a child with a disability from 90 days to 180 calendar days when the request is for reimbursement of costs of a child's placement. Requires the department to report to the legislature annually on the number of these requests awaiting hearing.
Status: Enrolled to the Governor on 5/5.
3. SB 2150, SD2, HD2, CD1 (CCR 154-08) – Relating to Adult Protection. Expands the adult protective services law by extending protections to vulnerable adults.
Status: Enrolled to the Governor on 5/5.
4. SB 2395, SD2 (HSCR 1350-08) – Relating to Language Access. Clarifies definitions relating to language access. Expands language access advisory council membership to include county resident representatives and a representative of the Disability and Communication Access Board.
Status: Enacted into law as **Act 8** on 4/8.
5. SB 2396, SD1, HD3, CD1 (CCR 37-08) – Relating to Mental Health. Requires the Department of Health to submit an annual report on forensic patients; allows the Director of Health and persons subject to inpatient hospitalization or conditional release to apply to the court for hearing; reduces the minimum length of hospitalization from ninety to sixty days for individuals who are recommitted after conditional release. Makes assault on a person employed at a state-operated or –contracted mental health facility a class C felony.
Status: Enrolled to the Governor on 5/5.
6. SB 2830, SD2, HD2, CD1 (CCR 155-08) – Relating to Caregiving. Extends the existence of the Joint Legislative Committee on Family Caregiving; changes the committee's name to the Joint Legislative Committee on Aging in Place (JLCAP); expands the committee's authorization to include aging in place issues related to family caregiving; requires the Aging and Disability Resource Center to report to JLCAP; requires the Executive Office of Aging to develop a cash and counseling project; allows kupuna care to include overnight, weekend, and emergency

respite, as well as provide grants to caregivers and for home modification; appropriates funds to the kupuna care program; establishes a task force to focus on the needs and issues of grandparents raising grandchildren; requests the executive office on aging to continue its respite inventory project in collaboration with the University of Hawaii; increases payments for level of care for ARCH types I and II, licensed developmental disabilities domiciliary homes, community care foster family homes, and certified adult foster homes.

Status: Enrolled to the Governor on 5/5.

7. SB 2879, SD2, HD1, CD1 (CCR 103-08) – Relating to Education: Establishes a power of attorney for special education. Establishes the process to appoint an educational representative for an adult student who lacks capacity. Clarifies the authority of a guardian of an adult student.
Status: Enrolled to the Governor on 5/5.
8. SB 3051, SD2, HD1, CD1 (CCR 29-08) – Relating to Criminal History Background Checks For Social Services Programs: Authorizes the Department of Human Services or its designee to conduct criminal history record checks for those providing services to vulnerable adults and children. (SB3051 CD1)
Status: Enrolled to the Governor on 5/5.

SENATE CONCURRENT RESOLUTIONS (SCR)

9. SCR 37, SD1 (HSCR 1924-08) – Requesting the Legislative Reference Bureau to Study the Establishment of a Comprehensive Vocational Rehabilitation Center for Deaf and Hard of Hearing Individuals.
Status: **Adopted** in final form on 4/21 and certified copies sent on 4/23.
10. SCR 196, SD1 (HSCR 1954-08) – Requesting the Auditor to Assess the Social and Financial Impacts of Requiring Health Insurers to Provide Coverage for the Diagnosis and Treatment for Autism Spectrum Disorders.
Status: **Adopted** in final form on 4/25.
11. SCR 200, SD1 (HSCR 1952-08) – Requesting the Auditor to Conduct a Financial and Management Audit of the Hawaii Centers for Independent Living.
Status: **Adopted** in final form on 4/23 and certified copies sent on 4/25.

GOVERNOR’S MESSAGES (GM)

Disability and Communication Access Board

12. GM 515 SSCR 3617 – Disability and Communication Access Board: Submitting for consideration and confirmation to the Disability and Communication Access Board, gubernatorial nominee, **ED CHEVY**, for a term to expire 6/30/2011.
Status: HTH recommended advise and consent on 4/21. Confirmed on 4/22.
13. GM 516 (SSCR 3617) – Disability and Communication Access Board: Submitting for consideration and confirmation to the Disability and Communication Access Board, gubernatorial nominee, **PETER L. FRITZ** for a term to expire 6/30/2009.
Status: HTH recommended advise and consent on 4/21. Confirmed on 4/22.
14. GM 517 (SSCR 3617) – Disability and Communication Access Board: Submitting for consideration and confirmation to the Disability and Communication Access Board, gubernatorial nominee, **ANN CHINENITO**, for a term to expire 6/30/2010.
Status: HTH recommended advise and consent on 4/21. Confirmed on 4/22.

15. GM 518 (SSCR 3617) – Disability and Communication Access Board: Submitting for consideration and confirmation to the Disability and Communication Access Board, Gubernatorial Nominee, **LANCE KANESHIRO**, for a term to expire 6/30/2011.
Status: HTH recommended advise and consent on 4/21. Confirmed on 4/22.

Statewide Council on Independent Living

16. GM 351 (SSCR 3475) – Statewide Council on Independent Living: Submitting for consideration and confirmation to the Statewide Council on Independent Living. Gubernatorial Nominee, **LOUISE R. HORIO**, for a term to expire on 6/30/2011.
Status:
Status: HSP recommended advised and consent on 4/8. Confirmed on 4/10.

State Rehabilitation Council

17. GM 355 (SSCR 3480) – State Rehabilitation Council: Submitting for consideration and confirmation to the State Rehabilitation Council, Gubernatorial Nominee, **LARRY M. LITTLETON**, for term to expire on 6/30/2011.
Status: HSP recommended advise and consent on 4/8. Confirmed on 4/10.

HOUSE BILLS

18. HB 2272, HD2, SD2, CD1 (CCR 92-08) – Relating to Qualified Community Rehabilitation Programs: Extends the exemption from the county civil service laws for contracts for personal services to contracts for building, custodial, and grounds maintenance services with qualified community rehabilitation programs lasting no more than one year and at a cost of no more than \$850,000.
Status: Transmitted to the Governor on 5/2.
19. HB 2500, HD1, SD1, CD1 (CCR 135-08) – Relating to the State Budget: Amends the General Appropriations Act of 2007 that appropriates general, general obligation bond, federal, revenue bond, special and other funds for departmental operating and capital improvements budgets.
Status: Enrolled to the Governor on 4/29.
20. HB 2519, HD2, SD2, CD1 (CCR 96-08) – Relating to Health Care: Establishes the Hawaii Health Corps Program working group to develop a plan to implement the Hawaii Health Corps Program which will provide loan repayments to qualified physicians and dentists who agree to practice in rural or medically underserved areas of the state.
Status: Transmitted to the Governor on 5/5.
21. HB 2727, HD2, SD1, CD1 (CCR 97-08) – Relating to Health Insurance: Establishes the temporary autism disorders spectrum benefits and coverage task force to research the problems faced by parents of children with autism and what can be done to ensure that proper benefits and services are provided through public and private resources to address the special needs of children with autism, including providing services involving applied behavioral analysis techniques.
Status: Transmitted to the Governor on 5/5.
22. HB 3352, HD2, SD2 (CD1 CCR 145-08) – Relating to an Audit of the Hawaii Disability Rights Center: Requires the Auditor to perform a financial and management audit of the Hawaii Disability Rights Center.
Status: Transmitted to the Governor on 5/5.

HOUSE CONCURRENT RESOLUTIONS (HCR)

23. HCR 62, HD1, SD1 (SSCR 3618) – Requesting the Auditor to Study the Social and Financial Impact of Mandatory Health Insurance Coverage for Use of Medical Surveillance Systems.
Status: House agreed on 5/1. **Adopted** in final form on 5/2.

HOUSE RESOLUTIONS (HR)

24. HR 102, HD1 (HSCR 1372-08) – Recommending that Realtors Promote Principles of Universal Design.
Status: **Adopted** in final form on 3/24.
25. HR 269 HD1 (HSCR 1731-08) – Requesting Hawaii's Natural Disaster Preparedness Training Center to Work with the Joint Legislative Committee on Family Care Giving Kupuna Caucus, and other Interested Organizations to Persons to Develop Programs Emphasizing At-Risk Communities.
Status: **Adopted** in final form on 4/4.