



## DISABILITY AND COMMUNICATION ACCESS BOARD

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### DCAB 2016 Legislative Activities Report November 1, 2016

The 28<sup>th</sup> Legislative session convened on January 20, 2016 and this is an update on the second year of the session. The bills that were introduced in 2015 carryover to this session, and can be heard by a committee if the chair decides to place it on an agenda. This year the House introduced 1,259 bills and the Senate introduced 1,126 bills for a total of 2,385 bills. From that total, the Disability and Communication Access Board (DCAB) reviewed and took positions on 29 House bills and 26 Senate bills. The Legislature adjourned on May 5, 2016. The Governor's deadlines related to bills that were enrolled to him: June 27, 2016 to notify the Legislature of any bills that may be vetoed, and July 12, 2016 to veto or to sign them. A bill may also be signed or left unsigned by the Governor. Any bills left unsigned automatically became law after July 12, 2016.

Both chambers also introduced resolutions and concurrent resolutions. Resolutions express the sentiment of the Legislature, and are good for bringing issues forth for a wide range of reasons. A resolution can request a study or other course of action; request the formation of a task force or working group; establish an honorary designation for a day or month; or congratulate an individual or organization. Resolutions are also used to revive aspects of a dead bill to keep discussion on a subject moving forward. Resolutions are heard and adopted by only one chamber, and concurrent resolutions must be heard and adopted by both chambers for any action to occur on the subject matter. Resolutions must be introduced at each Legislature and do not carryover to the next session.

For the 2016 session, the House introduced 157 resolutions and 206 concurrent resolutions and the Senate introduced 126 resolutions and 165 concurrent resolutions for a total of 654 resolutions. DCAB took positions on 10 House Concurrent Resolutions and 13 Senate Concurrent Resolutions.

The following numerical ordered list includes measures upon which DCAB took a position and were enrolled to the Governor:

### **House Bills**

#### HB 1585, HD2, SD1, CD1 – Relating to Guardianship (Act 89)

Prohibits guardians of an adult ward from restricting the ward's right to communicate, unless it is deemed by the guardian to pose a risk to the safety or well being of the ward. Took effect on June 22, 2016.

HB 1668, SD1, CD1 – Relating to the Use of a Dog in Judicial Proceedings (Act 178)  
Authorizes any state court to permit the use of a trained and credentialed facility dog in a judicial proceeding to facilitate the testimony of a vulnerable witness. Took effect on June 30, 2016.

HB 1878, HD1, SD2, CD1 – Relating to Aging (Act 138)  
Appropriates funds for fall prevention and early detection services for the elderly. Requires the Executive Office on Aging to submit a report to the Legislature no later than 60 days prior to the convening of the Regular Sessions of 2017 and 2018 on its progress to develop a system of evaluation to determine the effectiveness of the Aging and Disability Resource Centers (ADRC) in each county and to implement the federal No Wrong Door/ADRC network implementation grant. Took effect on July 1, 2016.

HB 2448, HD1, SD1 – Relating to Statutory Revision: Amending Various Provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the Purposes of Correcting Errors and References, Clarifying Language, and Deleting Obsolete or Unnecessary Provisions (Act 55)  
Amends various provisions of the Hawaii Revised Statutes and the Session Laws of Hawaii for the purposes of correcting errors and references, clarifying language, and deleting obsolete or unnecessary provisions. This Act took effect on June 6, 2016 and Section 17 became effective on July 1, 2016.

## **Senate Bills**

SB 2076, SD2, HD1, CD1– Relating to Health Care (Act 137)  
Establishes a durable medical equipment supplier license program for suppliers of durable medical equipment, prosthetics, orthotics, and related supplies through the Office of Health Care Assurance. Allows license fees to be deposited into the Office of Health Care Assurance special fund. Amends the cap on amounts of the Office of Health Care Assurance special fund that may be used per fiscal year. Amends the balance of the Office of Health Care Assurance special fund above which moneys are deposited into the general fund. Will take effect on January 1, 2017.

SB 2476, SD2, HD2, CD1– Relating to Health (Act 177)  
Enhances early intervention language services for children who are deaf, hard of hearing, or deaf-blind. Requires the Department of Health, Department of Education, and Executive Office on Early Learning to establish a working group for the purposes of investigating issues related to resources and tools for parents of children who are deaf, hard of hearing, or deaf-blind and improvements to the statewide system of services that support age-appropriate language development for children from birth to age 5 who are deaf, hard of hearing, or deaf-blind. Requires working group to report to the Legislature. Took effect on July 1, 2016. DCAB is included as a member of the working group.

SB 2887, SD1 – Relating to Developmental Disabilities (Act 32)  
Amends the definition of "developmental disabilities" in section 333F-1, Hawaii Revised Statutes, to include children from birth to age 9 who have a substantial developmental delay or specific congenital or acquired condition and without services and supports,

have a high probability of meeting criteria for developmental disabilities later in life.  
Takes effect upon approval.

SB 2981, SD1, HD1, CD1 – Relating to Education (Act 152)

Recognizes American Sign Language as a world language, and allows public school students who pass courses in American Sign Language to receive credit toward world language graduation requirements. Took effect on June 29, 2016.

**House and Senate Concurrent Resolutions**

HCR 80, HD1, SD1/HR 42, HD1 – Urging the State to Develop and Implement a Statewide Emergency Management Simulation Exercise

Hawaii Emergency Management Agency; Department of Defense; Department of Health; Statewide Emergency Management Simulation Exercise

DCAB is named as a partner agency in the Hawaii Emergency Management Agency's annual Makani Pahili exercise.

HCR 80, HD1, SD1 was amended in the Senate on April 20, 2016 and transmitted to the House. House agreed with the Senate amendment and adopted in final form by the House on April 27, 2016.

HR 42, HD1 adopted in final form by the House on April 7, 2016.

SR 33 – Encouraging the Department of Education to Promote Increased Participation by Schools in the Community Emergency Response Team Program

Department of Education; Emergency Management; Community Emergency Response Team Program

Adopted in final form by the Senate on April 7, 2016.

SR 115, SD1 – Requesting the Department of Education to Conduct a Two-Year Pilot Project to Implement Contracts for Services for Students with Disabilities on a Block Basis in Addition to on a One-to-One Basis

Department of Education; Pilot Project; Contracts for Services; Students with Disabilities; Block Basis

Resolution adopted by the Senate on April 7, 2016.

For information about the content or DCAB's position of any bill or resolution, contact Debbie Jackson at [debbra.jackson@doh.hawaii.gov](mailto:debbra.jackson@doh.hawaii.gov) or call (808) 586-8121.