

JAN 25 2006

S.B. NO. 2249

A BILL FOR AN ACT

RELATING TO CHILD SUPPORT ENFORCEMENT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 576D-12, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) The agency and its agents shall keep records that may
4 be necessary or proper in accordance with this chapter. All
5 applications and records concerning any individual or case shall
6 be confidential. The use or disclosure of information
7 concerning any individual or case shall be limited to:

8 (1) Persons duly authorized by the State or the United
9 States in connection with their official duties, when
10 their official duties are directly concerned with the
11 administration and implementation of any child support
12 enforcement plan or of a program approved by Title IV-
13 A through [~~D~~] E, or under Title II, X, XIV, XVI, XIX,
14 or XX of the Social Security Act, including but not
15 limited to any legal counsel working on behalf of the
16 agency;

17 (2) Disclosure to the extent necessary to provide
18 information to family support payors or payees or

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- 1 their authorized representatives regarding payments
2 received by the agency and the status of their support
3 accounts; provided that the information shall be
4 disclosed to an authorized representative only if the
5 request is accompanied by a written waiver of the
6 payor or payee concerned;
- 7 (3) Disclosure to consumer reporting agencies as provided
8 in section 576D-6(a)(6);
- 9 (4) Other agencies or persons connected with the
10 administration of any other federal or federally
11 assisted program that provides assistance, in cash or
12 in kind, or services, directly to individuals on the
13 basis of need;
- 14 (5) Employees acting within the scope and course of their
15 employment with the department as may be approved by
16 the agency;
- 17 (6) Purposes directly connected with any investigation,
18 enforcement, prosecution, or criminal, civil, or
19 administrative proceeding conducted in connection with
20 the administration of any plan or program in paragraph
21 (1); and

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1 (7) Disclosure to the family court as may be deemed
2 necessary by the family court for any case pending
3 before a court or for purposes of implementation of
4 section 571-51.5."

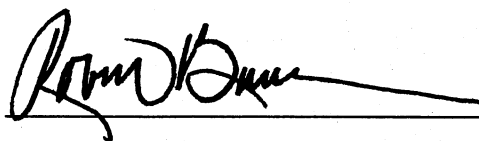
5 SECTION 2. Statutory material to be repealed is bracketed
6 and stricken. New statutory material is underscored.

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

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INTRODUCED BY:



BY REQUEST

10

JUSTIFICATION SHEET

SB. NO. 2249

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT RELATING TO CHILD SUPPORT ENFORCEMENT.

PURPOSE: To clarify that information maintained by the Child Support Enforcement Agency may be disclosed to persons who are directly involved with the administration and implementation of a program approved by Title IV-E of the Social Security Act.

MEANS: Amend section 576D-12(a)(1), Hawaii Revised Statutes.

JUSTIFICATION: This measure clarifies the present section of the law relating to confidentiality in specifying that agency information can be provided to persons involved in the Title IV-E (which includes foster care) program.

Impact on the public: None.

Impact on the department and other agencies: Information maintained by the Child Support Enforcement Agency will be provided to the Department of Human Services and Title IV-E agencies of other states without concern that the disclosure will violate this section of the statute.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM
DESIGNATION: ATG 500

OTHER AFFECTED
AGENCIES: Department of Human Services and Title IV-E agencies of other states.

EFFECTIVE
DATE: Upon approval.