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# A BILL FOR AN ACT

RELATING TO CHILD ABUSE.

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

1 SECTION 1. Section 350-1.1, Hawaii Revised Statutes, is  
2 amended as follows:

3 1. By amending subsection (a) to read:

4 "(a) Notwithstanding any other state law concerning  
5 confidentiality to the contrary, the following persons who, in  
6 their professional or official capacity, have reason to believe  
7 that child abuse or neglect has occurred or that there exists a  
8 substantial risk that child abuse or neglect may occur in the  
9 reasonably foreseeable future, shall immediately report the  
10 matter orally to the department or to the police department:

11 (1) Any licensed or registered professional of the healing  
12 arts [~~and~~] or any health-related occupation who  
13 examines, attends, treats, or provides other  
14 professional or specialized services, including but  
15 not limited to physicians, including physicians in  
16 training, psychologists, dentists, nurses, osteopathic  
17 physicians and surgeons, optometrists, chiropractors,



1           podiatrists, pharmacists, and other health-related  
2           professionals;

3           (2) Employees or officers of any public or private school;

4           (3) Employees or officers of any public or private agency  
5           or institution, or other individuals, providing  
6           social, medical, hospital, or mental health services,  
7           including financial assistance;

8           (4) Employees or officers of any law enforcement agency,  
9           including but not limited to the courts, police  
10          departments, department of public safety, correctional  
11          institutions, and parole or probation offices;

12          (5) Individual providers of child care, or employees or  
13          officers of any licensed or registered child care  
14          facility, foster home, or similar institution;

15          (6) Medical examiners or coroners; and

16          (7) Employees of any public or private agency providing  
17          recreational or sports activities."

18          2. By amending subsection (c) to read:

19           "(c) The initial oral report shall be followed as soon as  
20          possible by a report in writing to the department. If a police  
21          department or the department of public safety is the initiating  
22          agency, a written report shall be filed with the department for

1 cases that the police [~~take~~] or the department of public safety  
2 takes further action on or for active cases in the department  
3 under this chapter. All written reports shall contain the name  
4 and address of the child and the child's parents or other  
5 persons responsible for the child's care, if known, the child's  
6 age, the nature and extent of the child's injuries, and any  
7 other information that the reporter believes might be helpful or  
8 relevant to the investigation of the child abuse or neglect.  
9 This subsection shall not be construed to serve as a cause of  
10 action against the department [~~or~~], the police, or the  
11 department of public safety."

12 SECTION 2. Section 587-2, Hawaii Revised Statutes, is  
13 amended by amending the definition of "police officer" to read  
14 as follows:

15 ""Police officer" means a person employed by any county in  
16 this State to enforce the laws and ordinances for preserving the  
17 peace, safety, and good order of the community[~~or~~] or an employee  
18 authorized by the director of public safety under section 329-51  
19 or 353C-4 to exercise the powers of this chapter."

20 SECTION 3. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.

22 SECTION 4. This Act shall take effect on July 1, 2006.



**Report Title:**

Child Abuse

**Description:**

Adds deputy sheriffs and narcotics enforcement officers of the Department of Public Safety to those who must report child abuse cases and who have the authority to take a victim of child abuse into protective custody. (CD1)

