

Honolulu, Hawaii

FEB 17, 2006

RE: H.B. No. 2052  
H.D. 1

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Third State Legislature  
Regular Session of 2006  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 2052 entitled:

"A BILL FOR AN ACT RELATING TO FOSTER CHILDREN,"

begs leave to report as follows:

The purpose of this bill is to provide additional protection to foster children through the establishment of a foster children's bill of rights that requires foster children to be treated fairly, provided with a certain amount of privacy, and reasonably accommodated with regard to the child's culture.

The Legal Aid Society of Hawaii, Hawaii Foster Youth Coalition, Hawaii Youth Services Network, and numerous concerned individuals testified in support of this bill. The Department of Human Services (DHS) and Office of Hawaiian Affairs supported the intent of this measure.

Your Committee heard a similar measure, H.B. No. 2077, that also established a foster children's bill of rights. Your Committee heard compelling testimony from foster children who expressed a need for fair treatment and a reasonable amount of privacy. This measure and H.B. No. 2077 both contained elements worthy of further discussion.



Accordingly, your Committee has amended this bill by:

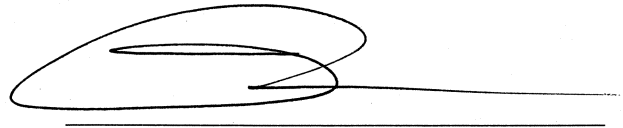
- (1) Removing some of the provisions that contain rights provided for under the United States Constitution, State Constitution, or DHS rules;
- (2) Inserting rights relating to the competency of foster care providers;
- (3) Establishing provisions relating to foster care providers to:
  - (A) Maintain confidentiality with regard to certain information pertaining to the foster child;
  - (B) Be actively involved in the child's pending child welfare case; and
  - (C) Receive reasonable notice before a foster child is removed from the provider's care, except in cases when the child is threatened with harm;
- (4) Providing the child with rights relating to:
  - (A) The adoption of the child;
  - (B) Making contact with agencies and officials related to the child's foster care;
  - (C) Maintaining a personal bank account and managing personal income;
  - (D) Attending school and participating in extracurricular activities;
  - (E) A transitioning plan for the child's aging out of the foster care system; and
  - (F) The stability of foster home placements, when practicable;
- (5) Providing rights to early identification of family members interested in serving as foster care providers or having permanent custody of the child; and



- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2052, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2052, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,



ALEX M. SONSON, Chair



