

STAND. COM. REP. NO.

2524

Honolulu, Hawaii

FEB 17, 2006

RE: S.B. No. 2161
S.D. 1

Honorable Robert Bunda
President of the Senate
Twenty-Third State Legislature
Regular Session of 2006
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred S.B. No. 2161 entitled:

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

begs leave to report as follows:

The purpose of this measure is to establish a foster children's bill of rights.

Your Committee received testimony in support of the measure from the Department of Human Services, the Office of Hawaiian Affairs, Hawaii Disability Rights Center, Hawaii Foster Parent Association, Hawaii Foster Youth Coalition, Hawaii Youth Services Network, the Legal Aid Society of Hawaii, Na Keiki Law Center, and sixteen current and former foster youth.

Your Committee finds that the foster care children's bill of rights does not create new rights for children in foster care; rather, it articulates and clarifies existing rights that are to be protected and enforced. This measure ensures that foster care children will be informed about their rights and responsibilities while in the State's foster custody.

Your Committee has amended this measure by:

- (1) Adding a provision requiring written notice to a child at least forty-eight hours prior to his or her removal from a foster home, unless notice is impracticable due to safety concerns;



- (2) Revising the provisions regarding continued contact with birth families following an adoption, as provided in an adoption decree;
- (3) Adding a notification requirement regarding a foster child's right to have direct contact with social workers, so the child will receive notification and contact information whenever changes in assigned social workers occur;
- (4) Clarifying that a foster child has the right to attend at least one annual review hearing and speak with the family court judge assigned to the case;
- (5) Incorporating a provision to allow a foster child in high school who is moved during the school year to stay at the same school until graduation;
- (6) Reducing the time the department has to conduct an ohana conference from six months to three months;
- (7) Inserting a provision to consider the foster child's preference when considering current foster parents as the presumptive choice for adoption, legal guardianship, or permanent custody of a child who has been in the permanent custody of the department and has been placed in a foster home for more than one year;
- (8) Adding a child's likes, dislikes, interests, hobbies, special possessions or practices, or any other unique characteristic of the child to the list of relevant medical and social history information that should be provided to the child's foster care provider; and
- (9) Requiring the Department of Human Services to provide each foster child with a copy of the bill of rights when the child is placed under foster custody, unless the child is not of sufficient age and capacity to understand the rights.

Your Committee also has amended this measure by making technical, nonsubstantive amendments for the purposes of clarity 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 S.B. No. 2161, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 2161, S.D. 1, and be referred to the Committee on Judiciary and Hawaiian Affairs.

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

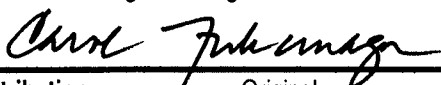
Suzanne Chun Oakland

SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Third Legislature
 State of Hawaii

Record of Votes of the
 Committee on Human Services
 (Bills and Resolutions)

Measure:*	Committee Referral:	Date:
SB 2161	HMS, JHW	02/02/06
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____		
The Recommendation is to:		
<input type="checkbox"/> Pass, unamended (2312) <input checked="" type="checkbox"/> Pass, with amendments (2311) <input type="checkbox"/> Hold (2310) <input type="checkbox"/> Recommit (2313)		
Members	Ayes	Ayes(WR)
CHUN OAKLAND, Suzanne (C)	✓	
IHARA, Jr., Les (VC)		
FUKUNAGA, Carol	✓	
HOOSER, Gary L.		
KOKUBUN, Russell S.	✓	
TRIMBLE, Gordon		✓
TOTAL	3	1
Recommendation:		
<input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:		
		
Distribution:		
Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency
		Goldenrod Committee File Copy

*Do not list more than one measure per Record of Votes.