
A BILL FOR AN ACT

RELATING TO CHILD PROTECTION.

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

1 SECTION 1. The legislature finds that children who live in
2 a situation with the potential for abuse require close attention
3 and monitoring to ensure the children's safety. Home visitation
4 is intended to reduce the likelihood of future abuse or neglect
5 in a household where there is a history of such occurrences.

6 As such, the purpose of this Act is to authorize the
7 department of human services to conduct unannounced visits to
8 inspect a parental home in which a household member was
9 convicted or adjudicated for certain offenses of child abuse or
10 neglect. The authorization is not intended for the purpose of
11 investigating criminal activity, but rather for the protection
12 of children and the prevention of harm.

13 SECTION 2. Chapter 346, Hawaii Revised Statutes, is
14 amended by adding a new section to be appropriately designated
15 and to read as follows:

16 "§346- Child abuse or neglect; unannounced departmental
17 inspection visits. (a) Beginning July 1, 2008, the department



1 shall be authorized to conduct one or more unannounced visits to
2 the parental home in which a child lives:

3 (1) If a member of the household in which the child lives
4 has been convicted within the past five years of a
5 misdemeanor or felony offense relating to child abuse
6 or neglect against a child, or adjudicated for conduct
7 that would constitute such an offense under section
8 571-11(1); and

9 (2) When the court terminates jurisdiction pursuant to
10 section 587-71(b) or 587-72(b)(1) and the child has
11 been returned to that parental home for at least three
12 months but not more than six months,

13 to conduct interviews and to inspect the conditions within the
14 parental home to confirm a safe living condition and the absence
15 of the potential for child abuse or neglect, as defined in
16 section 350-1 to ensure the well being of the child.

17 (b) The inspector shall prepare a written report upon
18 completion of the interviews and inspection. If, in the opinion
19 of the inspector:

20 (1) The child is in danger of imminent harm, the report
21 shall be referred for immediate action by the
22 department;



1 (2) The inspection is inconclusive, a follow up inspection
2 shall be conducted no later than twenty-one days
3 thereafter; or

4 (3) The child is in no danger of harm or imminent harm, no
5 further action shall be taken.

6 (c) The department of human services shall adopt rules to
7 maintain the least intrusive means in all aspects of the home
8 visits to maximize individual privacy in the conduct of home
9 visits and shall restrict the use of information obtained by the
10 department.

11 (d) For purposes of this section, "convicted" means
12 judgment has been entered against a person on a verdict or a
13 finding of guilty, or on a plea of guilty or nolo contendere."

14 SECTION 3. (a) There is established within the department
15 of human services a well child follow-up visit pilot project to
16 provide for a well child visit with families who have been
17 investigated by child welfare services, pursuant to section 587-
18 21, Hawaii Revised Statutes, to ensure the continued safety and
19 well-being of the child, subject to the appropriation of general
20 funds for the pilot project. The pilot project shall apply to
21 both confirmed and unconfirmed cases of child abuse and neglect.



1 (b) The well child follow-up visit pilot project may
2 include conducting a well child follow-up visit for each child
3 in cases where physical or sexual abuse or neglect has been
4 alleged and investigated.

5 (c) The well child follow-up visit may be conducted no
6 earlier than six months, but within one year, after the
7 completion of the investigation.

8 (d) The department of human services or its designated
9 contractor shall provide well child follow-up visits, subject to
10 the appropriation of general funds for this pilot project, on a
11 case-by-case basis. The department may contract with an
12 appropriate entity to provide these services.

13 (e) The pilot project shall cease to exist on June 30,
14 2009. The department of human services shall submit a report on
15 the status of the pilot project to the legislature no later than
16 twenty days prior to the convening of the regular session of
17 2009 and a final report no later than twenty days prior to the
18 convening of the regular session of 2010.

19 SECTION 4. There is appropriated out of the general
20 revenues of the State of Hawaii the sum of \$1,000,000 or so much
21 thereof as may be necessary for fiscal year 2008-2009 for the
22 well child follow-up visit pilot project.



1 The sum appropriated shall be expended by the department of
2 human services for the purposes of this Act.

3 SECTION 5. . New statutory material is underscored.

4 SECTION 6. This Act shall take effect on July 1, 2059.



Report Title:

Child Abuse or Neglect; Unannounced Visits for Inspection

Description:

Authorizes the Department of Human Services to conduct unannounced visits to inspect a parental home in which a household member was convicted or adjudicated for certain offenses of child abuse or neglect. Establishes a Well Child Follow-Up Visit Pilot Project. (HB2558 HD2)

