

Honolulu, Hawaii
Feb 15, 2008

RE: H.B. No. 2558
H.D. 2

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 2558, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD PROTECTION,"

begs leave to report as follows:

The purpose of this bill is to ensure the safety and well-being of our children in the home by:

- (1) Authorizing the Department of Human Services (DHS) to conduct unannounced visits to a parental home in which a child lives if a member of the household has been convicted or adjudicated of certain offenses of child abuse or neglect; and
- (2) Establishing and appropriating funds for the Well Child Follow-Up Visit Pilot Project to allow DHS to visit with families who have been investigated by Child Welfare Services.

A concerned individual testified in support of this bill. DHS and the Department of the Attorney General (AG) offered comments.

As recommended by the AG, your Committee has amended this bill by adding a purpose section to clarify the statutory provisions provided for in the bill.



Your Committee has further amended this bill by:

- (1) Specifying that the conviction or adjudication of the offenses of the household member must have been within the past five years for the home to qualify for unannounced visits by DHS;
- (2) Clarifying that prior convictions are not limited to abuse of the same child, but any child;
- (3) Specifying that unannounced home visits may be made after a court terminates jurisdiction upon the court's finding that the child's family is willing and able to provide the child with a safe family home without the assistance of a service plan (sections 587-71(b) or 587-72(b) (1), Hawaii Revised Statutes);
- (4) Clarifying that the purpose of the unannounced visits is to confirm a safe living condition and the absence of the potential for child abuse or neglect;
- (5) Requiring DHS to maintain the least intrusive means in all aspects of the home visits to maximize individual privacy in the conduct of home visits;
- (6) Requiring DHS to restrict the use of information obtained through the home visits by DHS;
- (7) Changing the effective date to July 1, 2009, to encourage further discussion; and
- (8) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2558, H.D. 1, as amended herein, and recommends that it be referred to the Committee on Finance in the form attached hereto as H.B. No. 2558, H.D. 2.



Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



TOMMY WATERS, Chair



