

STAND. COM. REP. NO. 2366

Honolulu, Hawaii

FEB 15 2008

RE: S.B. No. 2150
S.D. 1

Honorable Colleen Hanabusa
President of the Senate
Twenty-Fourth State Legislature
Regular Session of 2008
State of Hawaii

Madam:

Your Committees on Human Services and Public Housing and
Judiciary and Labor, to which was referred S.B. No. 2150 entitled:

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

beg leave to report as follows:

The purpose of this measure is to extend the protections of
the dependent adult protective services law to vulnerable adults.

Your Committees received testimony in support of this measure
from the Department of Human Services, State Council on
Developmental Disabilities, Honolulu Department of Community
Services, Kokua Council, Healthcare Association of Hawaii,
National Association of Social Workers, Catholic Charities Hawai'i,
ILWU Local 142, Maui County Executive on Aging, and three
individuals.

This measure defines "vulnerable adult" in terms of a person
who is eighteen years of age or older, who because of a mental,
developmental, or physical impairment, is unable to perform
certain specified basic functions of life. The measure also adds
definitions for physical abuse, psychological abuse, self-neglect,
poor self-care, and sexual abuse, as these terms relate to abuse
of vulnerable adults.

Your Committees find that vulnerable adults have been a
neglected segment of the dependent adult population. This measure
replaces the term "dependent adult" with the term "vulnerable
adult," and makes definitional and provisional amendments thereto.

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This measure also emphasizes the immediacy of the abuse rather than imminency.

Your Committees have amended this measure by:

- (1) Clarifying the Legislature's declaration that the protection of its citizens extends to those vulnerable to abuse, neglect, and exploitation;
- (2) Clarifying the definition of caregiver to be more inclusive of the applicable class;
- (3) Clarifying that the orders of the court may include any matters as may prevent immediate abuse;
- (4) Clarifying that any person, other than persons required to report abuse, may report abuse of vulnerable adults; and
- (5) Making technical, nonsubstantive amendments.

As affirmed by the records of votes of the members of your Committees on Human Services and Public Housing and Judiciary and Labor that are attached to this report, your Committees are in accord with the intent and purpose of S.B. No. 2150, as amended herein, and recommend that it pass Second Reading in the form attached hereto as S.B. No. 2150, S.D. 1, and be referred to the Committee on Ways and Means.

Respectfully submitted on
behalf of the members of the
Committees on Human Services
and Public Housing and
Judiciary and Labor,



BRIAN T. TANIGUCHI, Chair


SUZANNE CHUN OAKLAND, Chair



The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Human Services and Public Housing
HSP

Bill / Resolution No.:*	Committee Referral:	Date:		
SB 2150	HSP/JDL, WAM	2/8/08		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<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	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
IHARA, Jr., Les (VC)	✓			
HOOSER, Gary L.				✓
SAKAMOTO, Norman	✓			
HEMMINGS, Fred				✓
TOTAL	3	0	0	2
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	

*Only one measure per Record of Votes

The Senate
 Twenty-Fourth Legislature
 State of Hawaii

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:*	Committee Referral:	Date:
SB 2150	HSP/JDL, WAM	2-8-08

The committee is reconsidering its previous decision on this measure.
 If so, then the previous decision was to: _____

The Recommendation is:

Pass, unamended 2312
 Pass, with amendments 2311
 Hold 2310
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
TANIGUCHI, BRIAN T. (C)	✓			
HEE, Clayton (VC)				✓
GABBARD, Mike	✓			
KOKUBUN, Russell S.				✓
NISHIHARA, Clarence K.	✓			
SLOM, Sam	✓			
TOTAL	4	0	0	2

Recommendation: Adopted Not Adopted

Chair's or Designee's Signature:


Distribution: Original Yellow Pink Goldenrod
 File with Committee Report Clerk's Office Drafting Agency Committee File Copy

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