

Honolulu, Hawaii

FEB 29 2008

RE: S.B. No. 2150
S.D. 2

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

Madam:

Your Committee on Ways and Means, to which was referred S.B. No. 2150, S.D. 1, entitled:

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

begs leave to report as follows:

The purpose of this measure is to increase adult protective services available to adults in the State who are victims of abuse or neglect.

Specifically, this measure makes numerous revisions to Part X of Chapter 346, Hawaii Revised Statutes, which are intended to increase the protections available to adults who have experienced abuse or neglect or are in danger of abuse or neglect by:

- (1) Expanding the category of adults that are eligible for adult protective services by replacing the term "dependent adult" with the less restrictive term "vulnerable adult";
- (2) Expanding the definitions of the types of abuse and neglect that will trigger the implementation of this chapter;
- (3) Increasing the authority of the Department of Human Services to investigate reports of abuse; and



- (4) Increasing the requirements for professional health workers and mandated reports when reporting incidents of suspected abuse.

Additionally, this measure permits the Department of Human Services to work with interested stakeholders to develop a strategy for expanding the capacity of community-based services to help with the provision of adult protective services. This measure also appropriates an unspecified amount to the Department of Human Services to hire additional staff and provide additional services necessary to fulfill its expanded role.

Testimony in support of this measure was submitted by the State Council on Developmental Disabilities; the National Association of Social Workers; the Healthcare Association of Hawaii, Catholic Charities Hawaii, and Hale Makua Home Health and Foster Family Programs. The Department of Human Services submitted comments on this measure.

Your Committee finds that the increasing number of older adults in the State will make a greater need for adult protective services a sad reality. As the Department of Human Services is called upon to provide adult protective services to a larger percentage of the adult population, it is important that the adult protective services laws allow the Department the authority to fully address the needs of vulnerable adults. Your Committee further finds that the changes to the adult protective services laws found in this measure will expand the Department of Human Services' authority to respond, monitor, and intervene, and provide protections for a broader population of vulnerable adults.

Your Committee further finds that it is crucial that the Department have the resources necessary to hire additional staff and provide additional services that will be needed in order to meet its growing responsibilities.

Upon further consideration, your Committee has amended this measure by making minor changes as follows:

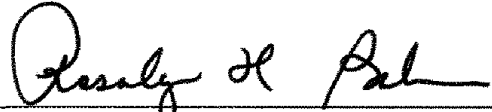
- (1) By amending the definition of "abuse" to include "physical abuse" instead of "physical injury";
- (2) By amending the definition of "self-neglect" or "poor self care" to include the "inability or failure" to perform tasks essential to caring for oneself; and



- (3) By making technical nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Ways and Means that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2150, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2150, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Ways and Means,



ROSALYN H. BAKER, Chair



