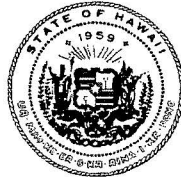


LINDA LINGLE
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DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
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February 27, 2008

MEMORANDUM

TO: The Honorable Marcus R. Oshiro, Chair
Committee on Finance

FROM: Lillian B. Koller, Director

SUBJECT: **H.B. 3399, H.D. 1 - RELATING TO CHAPTER 346, HAWAII
REVISED STATUTES**

Hearing: Wednesday, February 27, 2008; 12:15 p.m.
Conference Room 308, State Capitol

PURPOSE: The bill clarifies exemptions to Hawaii's child care licensing laws.

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this bill to clarify the Hawaii Revised Statutes §346-152(a)(11) that exempts "a person caring for two or fewer children unrelated to the caregiver by blood, marriage, or adoption" and provides the following comments.

When child care licensing staff investigate allegations of illegal child care being conducted in a home setting, they conduct unannounced home visits to determine the number of children being cared for, and who is the caregiver providing the child care. Although this bill will allow two caregivers for two or fewer unrelated children in a private residence, when licensing staff find only one caregiver in the home caring for more than two children at the time of the visit and that one caregiver states that another household member, who is not physically present, is actually the caregiver for some of the children,

the Department in these situations will still have no choice but to cite the caregiver who is physically present for exceeding the two-child limit.

Thank you for the opportunity to provide comments on this bill.