

STAND. COM. REP. NO. 137

Honolulu, Hawaii

Feb 10, 2009

RE: H.B. No. 1094

Honorable Calvin K.Y. Say  
Speaker, House of Representatives  
Twenty-Fifth State Legislature  
Regular Session of 2009  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 1094 entitled:

"A BILL FOR AN ACT RELATING TO PERMANENCY HEARINGS,"

begs leave to report as follows:

The purpose of this bill is to ensure compliance with federal Title IV-E hearing requirements by amending Chapter 587, Hawaii Revised Statutes, to:

- (1) Require a permanency hearing within 12 months of a child's of entry into out-of-home care, or 30 dates after the court determines the child is an abandoned infant or that efforts to reunify the child and family are not required;
- (2) Require that the status of the child shall be reviewed at least every 12 months thereafter;
- (3) Stipulate the duties of the court during permanency hearings; and
- (4) Conform existing law to the new statutory material.

The Department of Human Services testified in support of this bill. The Judiciary testified in opposition to this measure.



Your Committee acknowledges the Judiciary's testimony, that although the federal representative to the Child and Family Services Review process believes that there is a problem which may lead to the potential loss of federal Title IV-E monies, the Judiciary is deeply concerned about amending the statute before the interested stakeholders have had an opportunity to collaborate on a solution. The Judiciary stated that after a review of the current federal statute, there is reason to believe that there is no urgent need to pass an amendment.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1094 and recommends that it pass Second Reading and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,

  
JOHN M. MIZUNO, Chair



State of Hawaii  
House of Representatives  
The Twenty-fifth Legislature

Record of Votes of the Committee on Human Services

Bill/Resolution No.: <b>HB 1094</b>	Committee Referral: <b>HUS, JUD, FIN</b>	Date: <b>02/05/09</b>		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input checked="" type="checkbox"/> Pass, unamended (as is) <input type="checkbox"/> Pass, with amendments (HD) <input type="checkbox"/> Hold <input type="checkbox"/> Pass short form bill with HD to recommit for future public hearing (recommit)				
HUS Members	Ayes	Ayes (WR)	Nays	Excused
1. MIZUNO, John M. (C)	/			
2. BROWER, Tom (VC)	/			
3. BELATTI, Della Au				/
4. BERTRAM, Joe, III	/			
5. CARROLL, Mele				/
6. NISHIMOTO, Scott Y.	/			
7. SHIMABUKURO, Maile S.L.	/			
8. YAMANE, Ryan I.	/			
9. WARD, Gene				/
TOTAL (9)	6	0	0	3
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. committee acronym(s)				
Vice Chair's or designee's signature: <u>Tom Brower</u>				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				