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# A BILL FOR AN ACT

RELATING TO INFANT AND TODDLER CHILD CARE CENTERS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Pursuant to title 17, chapter 895, Hawaii  
2 Administrative Rules, the department of human services licenses  
3 infant and toddler child care centers. However, the legislature  
4 finds that current laws do not adequately protect parents and  
5 their infants and toddlers because no standardized procedure  
6 exists for an individual to file a complaint against an infant  
7 and toddler child care center. In addition, there are no rules  
8 that specifically address the filing of a complaint against a  
9 center's alleged omissions or wrongful actions. Section 17-895-  
10 6(a)(17), Hawaii Administrative Rules, only requires an infant  
11 and toddler child care center to have written operation policies  
12 available for review by parents or guardians. This section  
13 requires centers to include a statement on grievance procedures,  
14 however, there is no requirement for consistency from facility  
15 to facility, and the procedures provided may not be clear, which  
16 may make it difficult for a parent or guardian to determine how  
17 to proceed.



1           The purpose of this Act is to require the department of  
2 human services to adopt rules to implement standardized  
3 procedures for complaints and grievances, by both clients and  
4 employees, against infant and toddler child care centers in the  
5 state.

6           SECTION 2. Chapter 346, Hawaii Revised Statutes, is  
7 amended by adding a new section to be appropriately designated  
8 and to read as follows:

9           "§346-        Infant and toddler child care centers;  
10 standardized complaint and grievance procedures; public  
11 information. (a) The department shall adopt rules in  
12 accordance with chapter 91 to implement a standardized set of  
13 procedures to accommodate:  
14           (1) Complaints by individuals, including parents or legal  
15           guardians of infants and toddlers using the services  
16           of an infant and toddler child care center; and  
17           (2) Grievances by employees of an infant and toddler child  
18           care center,  
19 regarding omissions or alleged wrongful actions committed by the  
20 infant and toddler child care center.

21           (b) The department may make public information regarding  
22 this standardized set of procedures, including any additional



1 relevant information, and may publicize it on the department's  
2 website."

3 SECTION 3. Upon the effective date of the new or amended  
4 rules adopted pursuant to section 2 of this Act, any grievance  
5 procedure of an infant and toddler child care center, including  
6 grievance procedures required by section 17-895-6(a)(17), Hawaii  
7 Administrative Rules, shall be superceded by the new or amended  
8 rules and of no force or effect.

9 SECTION 4. Section 17-895-6(a)(17), Hawaii Administrative  
10 Rules, shall be repealed upon the adoption of new or amended  
11 rules pursuant to section 2 of this Act.

12 SECTION 5. This Act does not affect rights and duties that  
13 matured, penalties that were incurred, and proceedings that were  
14 begun before its effective date.

15 SECTION 6. New statutory material is underscored.

16 SECTION 7. This Act shall take effect on July 1, 2050.



**Report Title:**

Infant and Toddler Child Care Centers; Grievance Procedures

**Description:**

Requires the Department of Human Services to adopt rules to implement a standardized set of procedures accommodating complaints and grievances against infant and toddler child care centers. Allows the department to publicize the procedures, including on its website. Effective July 1, 2050. (HB26 HD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

