
HOUSE RESOLUTION

REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE IMPACT
OF THE NEW ADULT PROTECTIVE SERVICES LAW.

1 WHEREAS, the adult protective services program provides
2 crisis intervention, without regard to income, including
3 investigation and emergency services to vulnerable adults who
4 are reported to be abused, neglected, or financially exploited
5 by others or seriously endangered due to self-neglect; and
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7 WHEREAS, the Legislature expanded the adult protective
8 services law, chapter 346, part X, Hawaii Revised Statutes (Act
9 154, Session Laws of Hawaii 2008) to better protect our
10 vulnerable adults; and
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12 WHEREAS, as part of the new, expanded law starting July 1,
13 2009, the Department of Human Services has been accepting
14 reports on abuse that focused on caregiver neglect, physical
15 abuse, psychological abuse, self-neglect, financial
16 exploitation, and sexual abuse; and
17

18 WHEREAS, the Department of Human Services said it will
19 investigate a report of abuse on a vulnerable adult, and if the
20 Department of Human Services determines that the criteria for
21 abuse or neglect are not met, efforts will be made to refer the
22 adult to other resources so that future reports or actual abuse
23 do not occur; and
24

25 WHEREAS, the Department of Human Services has limited
26 resources and lacks additional staff or funds to implement the
27 expansion of the adult protective services law; and
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29 WHEREAS, the Department of Human Services accesses any
30 existing public or private resource that might be able to assist
31 the client, especially since adult protective services payments
32 cannot exceed forty-five days; and



1 WHEREAS, the adult protective services program report for
2 fiscal year 2011 reflected a statewide disparity in reports of
3 investigated cases of abuse (1,160) compared to confirmed cases
4 of abuse (99); and

5
6 WHEREAS, insufficient data is available for fiscal years
7 2010 and 2011 per age bracket regarding:

- 8
9 (1) Disposition status of investigated-but-not-confirmed
10 cases per age bracket;
11
12 (2) Disposition status of confirmed adult protective
13 services cases after the limited forty-five-day
14 payment period; and
15
16 (3) Number of subsequent reports, investigations, or
17 confirmations for adult abuse for cases originally
18 non-confirmed within the applicable fiscal year; and
19

20 WHEREAS, the Department of Human Services said it does
21 document the disposition of a confirmed case, but this
22 information is kept on a case-by-case basis within the written
23 record, therefore, it is not available in report form; now,
24 therefore,

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26 BE IT RESOLVED by the House of Representatives of the
27 Twenty-sixth Legislature of the State of Hawaii, Regular Session
28 of 2012, that the Department of Human Services is requested to
29 conduct a study on the expanded adult protective services law;
30 and

31
32 BE IT FURTHER RESOLVED that the department is requested to
33 include in its study:

- 34
35 (1) Identification of possible causes for the wide
36 disparity in the number of investigated adult
37 protective services reports in fiscal years 2010 and
38 2011 versus number of confirmed adult protective
39 services cases as it relates to the expanded adult
40 protective services law;



- 1 (2) Disposition or referral status of confirmed cases as
2 well as investigated-but-not-confirmed cases by age
3 bracket;
4
- 5 (3) Documentation of numbers and age bracket of subsequent
6 adult protective services reports, investigations, or
7 confirmations for cases originally deemed non-
8 confirmed within each fiscal year;
9
- 10 (4) Documentation of challenges and actions taken
11 regarding:
12
 - 13 (A) Possible lack of public understanding of the new
14 law resulting in a large number of reports or
15 investigations that do not meet set criteria
16 found within the law;
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 - 18 (B) Possible lack of adequate resources within the
19 Department of Human Services to confirm and
20 provide intensive services; and
21
 - 22 (C) Other variables that may affect the disparity in
23 numbers; and
24
- 25 (5) Identification and institution of immediate changes or
26 establishment of data fields, or related matter within
27 information systems to:
28
 - 29 (A) Capture the disposition of cases of both
30 confirmed and investigated-but-not-confirmed
31 cases per age bracket; and
32
 - 33 (B) Increase the capability to track, trend, and
34 identify gaps in services per specific age
35 bracket, such as adults under sixty years of age
36 who do not qualify for services from the
37 Department of Health's Adult Mental Health
38 Division or Case Management Coordination
39 Projects, Catholic Services for Elderly, or other
40 similar providers; and



1 BE IT FURTHER RESOLVED that the Director of Human Services
 2 is requested to submit a preliminary and a final report of its
 3 findings and recommendations, including any proposed
 4 legislation, to the Legislature no later than twenty days prior
 5 to the convening of the Regular Sessions of 2013 and 2014,
 6 respectively; and

7
 8 BE IT FURTHER RESOLVED that the reports include at a
 9 minimum:

- 10
 11 (1) Findings regarding the wide disparity of investigated
 12 cases versus confirmed cases;
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 14 (2) Disposition or referral status of confirmed cases as
 15 well as investigated cases per age bracket;
 16
 17 (3) Identification of gaps in services per age bracket;
 18
 19 (4) Actions and timelines taken by the Department of Human
 20 Services to address data collection and reporting; and
 21
 22 (5) Any other findings regarding the implementation of the
 23 expanded adult protective services law; and
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25 BE IT FURTHER RESOLVED that certified copies of this
 26 Resolution be transmitted to the Governor, Director of Human
 27 Services, Administrator of the Social Services Division of the
 28 Department of Human Services, and Administrator of the Adult and
 29 Community Care Services Branch of the Social Services Division
 30 of the Department of Human Services.
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OFFERED BY: _____

MAR 14 2012

