

Honolulu, Hawaii

Feb 6, 2012

RE: H.B. No. 2098

H.D. 1

Honorable Calvin K.Y. Say
Speaker, House of Representatives
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 2098 entitled:

"A BILL FOR AN ACT RELATING TO ELDER ABUSE,"

begs leave to report as follows:

The purpose of this measure is to allow a vulnerable adult who has been a victim of financial exploitation to:

- (1) Sue in family court or any other court of competent jurisdiction for damages sustained by the vulnerable adult; and
- (2) Recover reasonable attorney's fees and costs, compensatory damages, and punitive damages.

The Consumer Family and Youth Alliance, the Healthcare Association of Hawaii, and a concerned individual supported the measure. The Department of Human Services supported the intent of the measure with amendments.

Your Committee has amended this measure by:

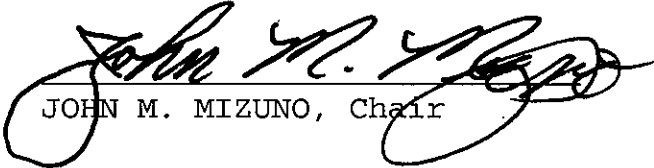
- (1) Placing the measure in chapter 663, Hawaii Revised Statutes (HRS), relating to tort actions rather than chapter 346, HRS, relating to the Department of Human Services;



- (2) Changing the effective date to July 1, 2050, to promote further discussion; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

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. 2098, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2098, H.D. 1, and be referred to the Committee on Judiciary.

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

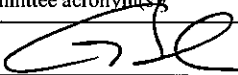

JOHN M. MIZUNO, Chair



State of Hawaii
House of Representatives
The Twenty-sixth Legislature

HSCR 109-12

Record of Votes of the Committee on Human Services

Bill/Resolution No.: HB 2098	Committee Referral: HUS, JUD, FIN	Date: JAN 30, 2012		
<input type="checkbox"/> The committee is reconsidering its previous decision on the measure.				
The recommendation is to: <input type="checkbox"/> Pass, unamended (as is) <input checked="" 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. JORDAN, Jo (VC)	✓			
3. BELATTI, Della Au				✓
4. HANOHANO, Faye P.	✓			
5. LEE, Chris				✓
6. MORIKAWA, Dee	✓			
7. WOOLEY, Jessica	✓			
8. YAMANE, Ryan I.	✓			
9. CHING, Corinne W.L.	✓			
10. PINE, Kymberly Marcos	✓			
TOTAL (10)	8			2
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small>committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO				