

STAND. COM. REP. NO. **235**-12

Honolulu, Hawaii

**Feb 9**, 2012

RE: H.B. No. 2190  
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. 2190 entitled:

"A BILL FOR AN ACT RELATING TO MANDATORY REPORTING,"

begs leave to report as follows:

The purpose of this measure is to safeguard elders from financial abuse by:

- (1) Requiring financial institutions to report suspected financial abuse of an elder to local law enforcement as well as the Department of Human Services; and
- (2) Mandating the sharing of records between the Department of Human Services and local law enforcement for investigation or prosecution of a financial abuse case.

Child and Family Service, the Consumer Family and Youth Alliance, the Healthcare Association of Hawaii, and two concerned individuals supported the measure. The Department of the Prosecuting Attorney of the City and County of Honolulu, the Department of Human Services, the Department of Commerce and Consumer Affairs, the Hawaii Bankers Association, and the Hawaii Credit Union League supported the measure with amendments.

HB2190 HD1 HSCR HUS HMS 2012-1521-1



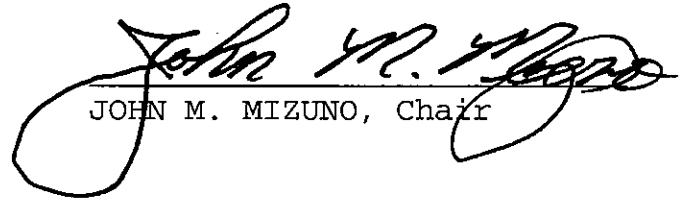
Your Committee has amended this measure by:

- (1) Deleting its contents and replacing it with the contents of H.B. No. 2545, but requiring financial institutions to report suspected financial abuse of an elder to the appropriate police department, and allowing financial institutions to report the suspected abuse to the Department of Human Services;
- (2) Requiring the Department of Human Services to inform the appropriate police department of all reports received by the Department of Human Services regarding a case of financial abuse of an elder;
- (3) Requiring the Department of Human Services to inform the appropriate police department or office of the prosecuting attorney of any relevant information concerning a case of financial abuse of an elder for an investigation or prosecution of that case;
- (4) Requiring financial institutions to report suspected financial abuse to the appropriate police department by electronic filing;
- (5) Changing the effective date to July 1, 2050, to promote further discussion; and
- (6) 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. 2190, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2190, H.D. 1, and be referred to the Committees on Judiciary and Consumer Protection & Commerce.



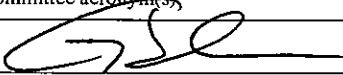
Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,

  
JOHN M. MIZUNO, Chair



State of Hawaii  
House of Representatives  
The Twenty-sixth Legislature

Record of Votes of the Committee on Human Services

Bill/Resolution No.: <b>HB 2190</b>	Committee Referral: <b>HUS, JUDICPC, FIN</b>	Date: <b>JAN 30, 2012</b>		
<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	✓			
<b>TOTAL (10)</b>	<b>8</b>			<b>2</b>
The recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted If joint referral, _____ did not support recommendation. <small style="margin-left: 150px;">committee acronym(s)</small>				
Vice Chair's or designee's signature: _____ 				
Distribution: Original (White) – Committee    Duplicate (Yellow) – Chief Clerk's Office    Duplicate (Pink) – HMSO				