

Honolulu, Hawaii

APR 05 2012

RE: H.B. No. 2539
H.D. 1

Honorable Shan S. Tsutsui
President of the Senate
Twenty-Sixth State Legislature
Regular Session of 2012
State of Hawaii

Sir:

Your Committee on Judiciary and Labor, to which was referred
H.B. No. 2539, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO ADULT ABUSE PERPETRATOR CHECKS
FOR CHILD CARE PROVIDERS,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Require persons exempt from part VIII of chapter 346, Hawaii Revised Statutes, pursuant to section 346-152, Hawaii Revised Statutes, to agree to an adult abuse perpetrator check in order to be eligible to provide child care and to receive a child care subsidy from the Department of Human Services;
- (2) Require the Department to develop standards, including the use of adult abuse perpetrator checks, to ensure the reputable and responsible character of an applicant to operate child care facilities, prospective employees of the applicant, and new employees of the provider;
- (3) Require applicants to operate a child care facility and providers of care in a child care facility to submit statements to the Department indicating any previous abuse or neglect of a vulnerable adult by the applicant or provider or any prospective employee thereof; and



- (4) Authorize the Department to deny license or registration applications, request providers to terminate employment of new employees, or revoke a license or registration upon finding that the applicant or provider or any prospective employee thereof is confirmed to have abused or neglected a vulnerable adult.

Your Committee received testimony in support of this measure from the Department of Human Services and Hawaii Association for the Education of Young Children.

Your Committee finds that the Department of Human Services is responsible for ensuring the health and safety of children in regulated settings, such as licensed child care centers, and for child care providers who care for children and receive child care subsidies from the Department. This measure allows the Department to conduct a more thorough review of individuals who are working directly with children in licensed and legally exempt settings by identifying individuals who have a history of maltreatment of other vulnerable individuals, including both children and adults.

As affirmed by the record of votes of the members of your Committee on Judiciary and Labor that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2539, H.D. 1, and recommends that it pass Third Reading.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary and
Labor,



CLAYTON HEE, Chair



The Senate
 Twenty-Sixth Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary and Labor
JDL

Bill / Resolution No.:* HB 2539, HD1	Committee Referral: HMS, JDL	Date: 3/27/12		
<input type="checkbox"/> The committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input checked="" type="checkbox"/> Pass, unamended 2312 <input type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
HEE, Clayton (C)	✓			
SHIMABUKURO, Maile (VC)	✓			
GABBARD, Mike	✓			
IHARA, Jr., Les	✓			
SLOM, Sam	✓			
TOTAL	5			
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes