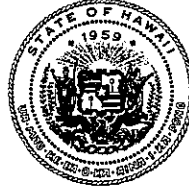


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GOVERNOR

BRIAN SCHATZ
LT. GOVERNOR

KEALI'I S. LOPEZ
DIRECTOR

IRIS IKEDA CATALANI
COMMISSIONER

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DIVISION OF FINANCIAL INSTITUTIONS
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS
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TO THE
HOUSE COMMITTEE ON HUMAN SERVICES

THE TWENTY-SIXTH LEGISLATURE
REGULAR SESSION OF 2012

Monday, January 30, 2012
8:30 a.m.

TESTIMONY ON H.B. NO. 2192
RELATING TO THE ELDERLY

THE HONORABLE JOHN M. MIZUNO, CHAIR
AND MEMBERS OF THE COMMITTEE:

My name is Iris Ikeda Catalani, Commissioner of Financial Institutions ("Commissioner"). I am testifying on behalf of the Department of Commerce and Consumer affairs in support of House Bill No. 2192.

This bill requires financial institutions to report suspected financial abuse of elder adults to the Department of Human Services and to the appropriate local law enforcement agency. It grants immunity to the financial institution or persons reporting such abuse from any liability, civil or criminal, that might be imposed as a result of making these reports.

police departments, then we suggest this section be removed from the banking law.

For these reasons, the Division supports with amendments, House Bill No. 2192.

Thank you for the opportunity to testify. I would be pleased to respond to any questions you may.

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Chair: Rep. John M. Mizuno, Chair
Rep. Jo Jordan, Vice Chair
Committee: COMMITTEE ON HUMAN SERVICES
Bill No & Title: HB 2192 RELATING TO THE ELDERLY
Day, Date & Time: Monday, January 30, 2012 8:30am
Place: State Capitol Conference Room 329

Aloha, Representative Mizuno, Representative Jordan and Committee members. I am Howard S. Garval, President & CEO of Child & Family Service, Hawaii's oldest and most comprehensive human service nonprofit organization with services on every island. Each year we touch the lives of 40,000 Hawaii residents from keiki to kupuna.

I am testifying in support of HB2192 which creates the crime of financial exploitation of dependent elders and provides enhanced penalties; requires financial institutions to report suspected financial abuse to the adult protective services and the county police. This bill will also require two signatures of unrelated persons as witnesses to the execution of a power of attorney for health care.

As a provider of senior services for the past 30 years, we have seen firsthand the abuse of our Kupuna through our REACH Program.

A recent presentation to the Kupuna Caucus by staff of DHS noted that of the 1160 intakes investigated, a total of 99 were confirmed abuse. A total of 6% were repeat offenders and 80% were over the age of 60. Financial Abuse accounted for 33% of the total intakes. Additionally we have seen an increase in reports of abuse in Hawaii. The DHS numbers only hint at the extent of the problem as they investigate only the vulnerable adults. Indications are that many seniors feel pressure by family or others to turn over funds or even control over their finances. The scam artists focus on seniors and financial exploitation is seen as a national problem.

This bill puts "teeth" into the crime of financial abuse of an elder. We feel the addition of law enforcement to the current legislation will create a stronger system of protection for adults in Hawaii. We would suggest uniformity of the age of a senior. Page 4 line 1 states the age as "62 years" whereas line 14 on the same page states "60 years".

At Child & Family Service our mission is strengthening families and fostering the healthy development of children. We strongly support HB2192 and ask for your support of this bill to include law enforcement when reporting financial abuse.

Mahalo for providing the opportunity to submit testimony.

Our Mission: Strengthening Families and Fostering the Healthy Development of Children