

HMS TESTIFIER SIGN-UP SHEET

If you did not submit written testimony by ^{1:13}~~4:00~~ p.m. yesterday and would like to testify, please sign-up on this sheet. Testifiers will be taken in the order signed in.

BILL NO: SB 2313

NAME	ORGANIZATION	POSITION (support/oppose)
Scott Wall		S
Howard Granville	C&F Semire	S

LATE

ChunOakland2 - Tyrell

From: mailinglist@capitol.hawaii.gov
Sent: Tuesday, January 31, 2012 9:44 AM
To: HMS Testimony
Cc: robertscottwall@yahoo.com
Subject: Testimony for SB2313 on 1/31/2012 1:15:00 PM

Testimony for HMS 1/31/2012 1:15:00 PM SB2313

Conference room: 016
Testifier position: Support
Testifier will be present: Yes
Submitted by: Scott Wall
Organization: Individual
E-mail: robertscottwall@yahoo.com
Submitted on: 1/31/2012

Comments:

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Chair: Senator Suzanne Chun Oakland, Chair
Senator Les Ihara, Vice Chair
Committee: Committee on Human Services
Bill No & Title: SB 2313 Relating to Background Checks
Day, Date, Time: Tuesday, January 31, 2012 1:15 pm
Place: State Capitol Conference Room 016

Aloha, Senator Chun Oakland, Senator Ihara 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 SB2313 which requires the Department of Human Services (DHS) to allow persons to conduct child and vulnerable adult abuse perpetrator checks on the department's website.

The safety of our keiki and kupuna is important to CFS. As a provider of services we pride ourselves on the pre-employment processing of applicants. We know that those we serve may be vulnerable and wish to protect their safety. Our background checks include checking the CPS registry and the APS registry. Until a few years ago this was an easy process, however due to lack of staffing the process became slow and cumbersome. The department then contracted with an outside agency to provide this information and passed the cost to those asking for information. The background checks also need to be completed annually in order to be effective. As an employer of over 400 employees, this can become very costly.

The ability to access information, similar to other sites such as Hawaii's Adult Criminal Information site (eCrim) would assist agencies without incurring additional cost to the state. Hawaii's most vulnerable would be better protected by agencies that have readily available information on abusers without additional cost to the state. This would seem to be a win- win- win situation.

At Child & Family Service our mission is Strengthening Families and Fostering the Healthy Development of Children. I think you can see why we strongly support SB 2313 and ask for your support of this bill to allow background checks on the DHS website.

Mahalo for providing the opportunity to submit testimony.

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



LATE

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

January 31, 2012

MEMORANDUM

TO: The Honorable Suzanne Chun Oakland, Chair
Senate Committee on Human Services

FROM: Patricia McManaman, Director

SUBJECT: **S.B. 2313 RELATING TO BACKGROUND CHECKS**

Hearing: Tuesday, January 31, 2012; 1:15 p.m.
Conference Room 016, State Capitol

PURPOSE: The purpose of S.B. 2313 is to require the Department of Human Services (DHS) to allow persons to conduct child and vulnerable adult abuse perpetrator checks on the Department's website as part of background checks for employment, volunteer, licensure, or certification purposes.

DEPARTMENT'S POSITION: DHS respectfully opposes the proposed amendments to Chapters 346 and 350, Hawaii Revised Statutes, as described in S.B. 2313.

While DHS recognizes that the public may want to have access to child and vulnerable adult abuse perpetrator information, we have serious concerns about releasing confidential information without consent or court order. All information pertaining to a child abuse or vulnerable adult abuse investigation is entered into the Department's automated information system, the Child Protective Services System (CPSS). The CPSS is not a web-based system. The information it contains is not made part of a public record. Therefore, placing any information about alleged abuse

perpetrators onto a web-based system for the public to view will be a violation of the Department's confidentiality laws and administrative rules, and would be a violation of the Federal mandates governing the administration of the Child Welfare program.

The confidential information entered into the Department's CPSS cannot be compared to a system such as the Adult Criminal Conviction Information (eCrim) Web Site that allows the public to view conviction records. Conviction records are a matter of public record and consent to release such information is not needed.

While placing abuse perpetrator information on a web-based system may serve a public interest, the Department will require State funds to research and analyze the appropriate means to allow public access to confidential material in a manner that will not jeopardize federal funding. Additional State funds will be needed to hire or contract computer programmers to develop and maintain such a system on an on-going basis. Given the current economic climate, DHS is not able to justify such an expense.

Thank you for the opportunity to provide comments on this bill.