

Honolulu, Hawaii

MAR 20 2013

RE: H.B. No. 398  
H.D. 1  
S.D. 1

Honorable Donna Mercado Kim  
President of the Senate  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Madam:

Your Committees on Human Services and Health, to which was referred H.B. No. 398, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO HUMAN SERVICES,"

beg leave to report as follows:

The purpose and intent of this measure is to require child care facilities, including family child care homes, group child care centers, and group child care homes, and infant and toddler child care centers that are registered or licensed by the Department of Human Services to provide care for children less than one year of age to develop, maintain, and implement safe sleep policies, in accordance with rules adopted by the Department of Human Services, to prevent sudden unexpected infant death and sudden infant death syndrome.

Your Committees received testimony in support of this measure from the Child and Family Service, PATCH, Big Island Adult Foster Home Operators, Alliance of Residential Care Administrators, United Group of Home Operators, and forty-nine individuals. Your Committees received comments on this measure from the Department of Health, Department of Human Services, and Nightingale Case Management.

Your Committees find that Hawaii is one of only seven states that do not regulate sleep positions in child care centers or family child care homes. Requiring child care facilities that care for children under the age of one year to implement safe



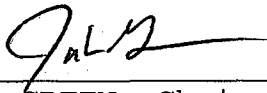
sleep policies will help to prevent infant deaths caused by unsafe sleeping environments and positions.

Your Committees have amended this measure by:

- (1) Adding language to establish a task force to address issues affecting home and community-based facilities during the transition of services from the Department of Human Services to the Department of Health and to require the task force to report its findings to the Legislature no later than twenty days prior to the convening of the 2014 Regular Session;
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the records of votes of the members of your Committees on Human Services and Health that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 398, H.D. 1, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 398, H.D. 1, S.D. 1, and be referred to the Committee on Commerce and Consumer Protection.

Respectfully submitted on  
behalf of the members of the  
Committees on Human Services  
and Health,



JOSH GREEN, Chair

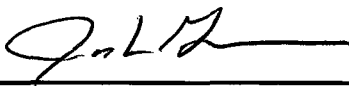


SUZANNE CHUN OAKLAND, Chair



The Senate  
 Twenty-Seventh Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Human Services**  
**HMS**

Bill / Resolution No.:* <b>HB 398 , HD1</b>	Committee Referral: <b>HMS/HTH,CPN</b>	Date: <b>3/15/13</b>		
<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 type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
CHUN OAKLAND, Suzanne (C)	✓			
GREEN, Josh (VC)	✓			
KIDANI, Michelle N.				✓
TANIGUCHI, Brian T.				✓
SLOM, Sam	✓			
<b>TOTAL</b>	<b>3</b>	<b>0</b>	<b>0</b>	<b>2</b>
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: <div style="text-align:center; font-family: cursive; font-size: 1.2em;">  </div>				
<b>Distribution:</b> Original             Yellow             Pink             Goldenrod File with Committee Report             Clerk's Office             Drafting Agency             Committee File Copy				

\*Only one measure per Record of Votes

