

STAND. COM. REP. NO.

527

Honolulu, Hawaii  
February 15, 2013

RE: H.B. No. 3  
H.D. 1

Honorable Joseph M. Souki  
Speaker, House of Representatives  
Twenty-Seventh State Legislature  
Regular Session of 2013  
State of Hawaii

Sir:

Your Committees on Human Services and Consumer Protection & Commerce, to which was referred H.B. No. 3 entitled:

"A BILL FOR AN ACT RELATING TO THE ELDERLY,"

beg leave to report as follows:

The purpose of this measure is to prevent financial abuse of elders by requiring financial institutions to report to the appropriate county police department, suspected financial abuse that is directed towards, targets, or is committed against elders.

A concerned individual supported this measure. Hawaii Credit Union League supported this measure with amendments. The Executive Office on Aging supported the intent of this measure. The City and County of Honolulu Police Department and County of Hawaii Police Department opposed this bill. Comments were received from the Department of Human Services, County of Maui Police Department, and Hawaii Bankers Association.

Your Committees have amended this measure by:

- (1) Requiring financial institutions to report suspected financial abuse of an elder to both the Department of Human Services and the appropriate county police department;

HB3 HD1 HSCR HUS-CPC HMS 2013-2051



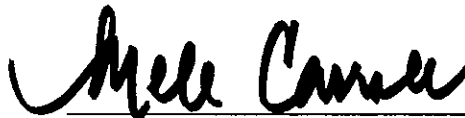
- (2) Requiring that suspected financial abuse be reported not only by telephone, but also by facsimile or any other electronic device;
- (3) Specifying that upon notification by a financial institution of suspected financial abuse:
  - (A) The Department of Human Services must determine whether it has jurisdiction over the reported elder involved; and
  - (B) The Department of Human Services and the appropriate county police department must proceed with a criminal investigation in a timely manner;
- (4) Requiring the Department of Commerce and Consumer Affairs to develop a form to be used by financial institutions or any other person to report and document incidents of suspected elder financial abuse;
- (5) Clarifying and providing more details in the definition of "financial abuse"; and
- (6) Making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the records of votes of the members of your Committees on Human Services and Consumer Protection & Commerce that are attached to this report, your Committees are in accord with the intent and purpose of H.B. No. 3, as amended herein, and recommend that it pass Second Reading in the form attached hereto as H.B. No. 3, H.D. 1, and be referred to the Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committees on Human Services  
and Consumer Protection &  
Commerce,



ANGUS L.K. MCKELVEY, Chair



MELE CARROLL, Chair





