



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

January 29, 2013

**MEMORANDUM**

TO: The Honorable Mele Carroll, Chair  
House Committee on Human Services

FROM: Patricia McManaman, Director

SUBJECT: **H.B. 398 - RELATING TO HUMAN SERVICES**

Hearing: Tuesday, January 29, 2013; 10:00 a.m.  
Conference Room 329, State Capitol

**PURPOSE:** The purpose of H.B. 398 is to require child care facilities, family child care homes, group child care centers, group child care homes, and infant and toddler child care centers that care for children one year of age or younger to develop, maintain, and implement safe sleep policies to prevent sudden unexpected infant deaths and sudden infant death syndrome. Makes certain requirements of operators.

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) acknowledges the efforts of the Legislature to seek measures to prevent the tragic deaths associated with sudden unexpected infant deaths and sudden infant death syndrome. However, we must respectfully oppose H.B. 398 which would legislate specific program requirements for regulated child care providers which can be addressed through administrative rules.

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



*Ulu*  
*Grow & Preserve*

# Malama Family Recovery Center

## *Malama Na Makua A Keiki, Inc.*

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January 26, 2013

To: Representative Mele Carol, Chair  
Representative Bertrand Kobayashi, Vice Chair  
House Committee on Human Services

RE: IN STRONG SUPPORT OF HB 398  
RELATING TO HUMAN SERVICES

I am writing in support of HB 398. I am the Clinical Director of the only Women's substance abuse treatment facility on Maui. We offer a safe place for women and their children to receive treatment so they can return to being happy, healthy and productive members in our community. We have already adopted the recommendations of the American Academy of Pediatrics related to safe sleeping environments and sleep positions. Hawaii is one of only seven states that has not adopted safe sleeping policies for child care providers and family child care homes. I would strongly encourage that this measure be passed to help reduce the number of infant deaths caused by unsafe sleep positions and environments.

Respectfully,

Lisa Ponichtera, LMFT, CSAC  
Clinical Director – Malama Family Recovery Center

Jud R. Cunningham  
Chief Executive Officer

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**Lisa M. Dau, RN**

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**To:** Representative Mele Carroll, Chair  
Representative Bertrand Kobayashi, Vice Chair  
House Committee on Human Services

**RE: IN STRONG SUPPORT OF HB 398  
RELATING TO HUMAN SERVICES**

Dear Chair, Vice Chair and Committee Members,

My name is Lisa Dau and I am a Registered Nurse at a local medical center. Thank you for this opportunity to provide my testimony in **strong support of HB 398**, Relating to Human Services.

Suffocation has been the leading cause of fatal injuries among healthy keikis under the age of 1. The American Academy of Pediatrics recommends all infants under the age of 1 to sleep on their backs, in a safe sleeping environment. Hawaii is one of seven states in the United States that does not regulate sleep positions in child care centers or family child care homes. By passing this measure, it will help ensure all Hawaii's infants in child care facilities to sleep in a safe environment and prevent the occurrence of infants dying due to unsafe sleeping environments/positions. We strongly recommend you pass this measure. Thank you for your time.

Aloha,

Lisa M. Dau, RN

Dear Chair, Vice Chair and Committee Members,

My name is Nancy Kern. I currently work for the Department of Health, in the Injury Prevention and Control Section, as the Suicide Prevention Coordinator. I am providing this testimony, however, as a private citizen.

Thank you for this opportunity to provide my testimony in strong support of HB 398, Relating to Human Services.

I had a twin daughter, Colleen Kern, who died at the age of 4 months from Sudden Infant Death Syndrome (SIDS) in 1977. The sadness and despair experienced by my husband and myself from this loss was unimaginable.

Following Colleen's death, I worked for many years on efforts related to preventing SIDS in Hawaii, serving as president of the Hawaii SIDS Foundation for several years. One of our main priorities was to educate the public on the significance of placing babies to sleep on their backs.

From my personal perspective, HB 398 should be passed, as research demonstrates that back-sleeping decreases the rate of SIDS deaths, and - therefore - would lessen the tragedy that afflicts families in Hawaii when they experience the death of their infant due to SIDS.

We all have a responsibility to ensure that all Hawaii's infants in child care facilities are placed down to sleep in a safe environment. This is a relatively small step to take for such a significant result: a safer environment for all babies who are cared for at child care centers statewide.

Thank you for seriously considering the passage of this bill and for caring for the health and well-being for our infants.

**kobayashi1-Joni**

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Friday, January 25, 2013 9:06 PM  
**To:** HUS testimony  
**Cc:** joannachongkee@yahoo.com  
**Subject:** Submitted testimony for HB398 on Jan 29, 2013 10:00AM  
**Attachments:** image.jpg

**Categories:** Blue Category

**HB398**

Submitted on: 1/25/2013

Testimony for HUS on Jan 29, 2013 10:00AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
JOANNA CHONG KEE	Individual	Support	No

Comments: My name is Joanna Chong Kee, a Maui mommy who loss her 4 month old infant last year January 2012! While at the babysitter's home, my son was laid down for a nap on his stomach and was found un-responsive a while after! My son was a healthy 4 month old. An autopsy was done an we soon found out that he died of positional asphyxia! It tore us open all over again just learning of how he passed away. I needed to get the word out there that these babies are put in harms way when laid down on their tummies for a nap or bedtime. One night while staring at the alphabets that makes up my son's first name, I came up with a strong, positive message. The message reads, 'Always put ur litto keiki on their backs during sleep time (please see attachment)! I had a whole bunch of these awareness fliers printed and posted here on Maui. I still have a lot more to post. For baby's first birthday, we ran an article in the Maui Newspaper sharing with the public of how he had passed away and inviting them down to a beach park for a massive balloon release in a special memorial for him! The article stated the importance of back to sleep in infants and that when laid on their tummies, their heads aren't strong enough at that age to maneuver themselves outta harms way! Having shared all this with you, I strongly support HB398!!!!

Please note that testimony submitted less than 24 hours prior to the hearing , improperly identified, or directed to the incorrect office, may not be posted online or distributed to the committee prior to the convening of the public hearing.

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**From:** mailinglist@capitol.hawaii.gov  
**Sent:** Saturday, January 26, 2013 8:26 AM  
**To:** HUS testimony  
**Cc:** Kaileaakahi@yahoo.com  
**Subject:** \*Submitted testimony for HB398 on Jan 29, 2013 10:00AM\*

**Categories:** Blue Category

**HB398**

Submitted on: 1/26/2013

Testimony for HUS on Jan 29, 2013 10:00AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Enoch Uu	Individual	Support	No

**Comments:**

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**HB398**

Submitted on: 1/26/2013

Testimony for HUS on Jan 29, 2013 10:00AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Mahina Uu	Individual	Support	No

**Comments:**

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Submitted on: 1/26/2013

Testimony for HUS on Jan 29, 2013 10:00AM in Conference Room 329

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Vanessa Uu	Individual	Support	No

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