



February 14, 2013
9:30 a.m.
Conference Room 329

TESTIMONY TO THE HOUSE COMMITTEE
ON HUMAN SERVICES

RE: HB 700 – Relating to Mandatory Reporting Requirements

Chair Carroll, Vice Chair Kobayashi, and the members of the committees,

My name is Robert Witt and I am executive director of the Hawaii Association of Independent Schools (HAIS), which represents 99 private and independent schools in Hawaii and educates over 33,000 students statewide.

HAIS supports HB 700 which amends the definition of child abuse or neglect to include acts or omissions of any person or legal entity. The bill clarifies reporting duty to be based on a reasonable suspicion and expands medical personnel's duty to report to include reporting injuries suffered by a victim of labor trafficking or prostitution.

It is imperative for adults surrounding a battered keiki to demonstrate humanity, compassion, and empathy by reporting any reasonable suspicion that child abuse or neglect has occurred or there exists a substantial risk that child abuse or neglect may occur in the reasonable foreseeable future to the professional department at which they are employed or police department. This bill also expands the duties of medical workers to report attending or treatment of any injury reasonable believed to have been caused by the use of violence or sustained in a suspicious or unusual manner to the chief of police of the county. It is everyone's responsibility to help ensure that our keiki grow up in healthy, nourishing environments and passing this bill will show commitment towards this goal.

Thank you for the opportunity to testify.



February 14, 2013

TO: Representative Mele Carroll, Chair
Rep. Bertrand Kobayashi, Vice Chair and
Members of the Committee on Human Services

FROM: Jeanne Y. Ohta, Co-Chair

RE: HB 700 Relating to Relating to Mandatory Reporting Requirements
Hearing: Thursday, February 14, 2013, 9:30 a.m., Room 329

Position: Opposed

The Hawai'i State Democratic Women's Caucus writes in opposition to HB 700 Relating to Mandatory Reporting Requirements which would amend Hawai'i Revised Statutes (HRS) Chapter 350 to expand the definition of "child abuse or neglect" to include acts or omissions of any person or legal entity and change the reporting duty to be based on a reasonable suspicion."

The bill would also amend HRS §453-14 to expand the reporting duty for medical professionals to include the reporting of injuries reasonably believed to be suffered by a victim of human trafficking or prostitution.

While we appreciate the intent to protect children and victims of human trafficking, we oppose the proposed amendments in this measure.

A victim should have the right to confidential medical care and support services. This proposal would significantly expand the mandatory reporting requirements and have the effect of discouraging victims of sexual abuse and exploitation from seeking needed medical and other supportive services. It is for this reason that we respectfully request that the committee hold this measure.

kobayashi1-Joni

From: mailinglist@capitol.hawaii.gov
Sent: Wednesday, February 13, 2013 9:57 PM
To: HUS testimony
Cc: mypillbuggy@gmail.com
Subject: Submitted testimony for HB700 on Feb 14, 2013 09:30AM

HB700

Submitted on: 2/13/2013

Testimony for HUS on Feb 14, 2013 09:30AM in Conference Room 329

Submitted By	Organization	Testifier Position	Present at Hearing
Marisa Nguyen	Individual	Support	No

Comments: I am writing in support of HB 700. This bill is important to help protect victims of abuse and human trafficking. As a physician, I find it important to expand medical personnel's duty-to-report to include reporting injuries suffered by a victim of labor trafficking or prostitution. Unfortunately, labor and sex trafficking are not rare crimes and the victims do not have a voice. We need to stand up for their human rights. Holding physicians responsible for reporting these victims' injuries will increase physicians' awareness that these victims exist and need our help. As physicians become more aware, they can detect more victims and thereby help more victims. It is hard to save these vulnerable kids and adults, and one brief physician encounter could be the one opportunity that saves a life. Please support this bill.

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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Committee: Committee on Human Services
Hearing Date/Time: Thursday, February 14, 2013, 9:30 a.m.
Place: Conference Room 329
Re: Testimony of the ACLU of Hawaii in Opposition to H.B. 700, Relating to Mandatory Reporting Requirements

Dear Chair Carroll and Members of the Committee on Human Services:

The American Civil Liberties Union of Hawaii (“ACLU of Hawaii”) appreciates the intent of the bill, but opposes H.B. 700 because it would deny victims of sex trafficking and exploitation confidential medical care and services and ultimately discourage victims from seeking necessary services.

Thank you for this opportunity to testify.

Sincerely,
Laurie A. Temple
Staff Attorney and Legislative Program Director
ACLU of Hawaii

About the American Civil Liberties Union of Hawaii

The ACLU has been the nation’s guardian of liberty since 1925 and the ACLU of Hawaii since 1965 and works daily in the courts, legislatures and communities to defend and preserve the individual rights and liberties equally guaranteed to all by the Constitutions and laws of the United States and Hawaii. The ACLU works to ensure that the government does not violate our constitutional rights, including, but not limited to, freedom of speech, association and assembly, freedom of the press, freedom of religion, fair and equal treatment, and privacy. The ACLU network of volunteers and staff works throughout the islands to defend these rights, often advocating on behalf of minority groups that are the target of government discrimination. If the rights of society’s most vulnerable members are denied, everyone’s rights are imperiled.

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