



EXECUTIVE CHAMBERS  
HONOLULU

DAVID Y. IGE  
GOVERNOR

July 11, 2017

**GOV. MSG. NO. 1275**

The Honorable Ronald D. Kouchi,  
President  
and Members of the Senate  
Twenty-Ninth State Legislature  
State Capitol, Room 409  
Honolulu, Hawai'i 96813

The Honorable Scott K. Saiki,  
Speaker and Members of the  
House of Representatives  
Twenty-Ninth State Legislature  
State Capitol, Room 431  
Honolulu, Hawai'i 96813

Dear President Kouchi, Speaker Saiki, and Members of the Legislature:

This is to inform you that on July 11, 2017, the following bill was signed into law:

HB674 HD2 SD2 CD1

RELATING TO CHILD CARE PROVIDERS  
**ACT 161 (17)**

Sincerely,

DAVID Y. IGE  
Governor, State of Hawai'i

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## A BILL FOR AN ACT

RELATING TO CHILD CARE PROVIDERS.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. This Act shall be known and may be cited as the  
2 "Wiley Kaikou Muir Act".

3 SECTION 2. Section 346-157, Hawaii Revised Statutes, is  
4 amended to read as follows:

5 "[+]§346-157[+] Liability insurance coverage; [~~ae~~]  
6 requirement. (a) For the purpose of this section, "liability  
7 insurance coverage" means a general casualty insurance policy  
8 issued to a provider insuring against legal liability for injury  
9 resulting from negligence to a child during the time the child  
10 is under the care of the child care provider.

11 (b) The department shall [~~not~~] require [~~a provider~~] all  
12 providers to obtain [~~e~~] and maintain liability insurance  
13 coverage in an amount determined by the department as a  
14 condition of licensure, temporary permission, or registration to  
15 operate a child care facility.

16 (c) The department, as a condition of continued licensure,  
17 temporary permission, or registration, shall require [~~a provider~~



1 ~~who does not have liability insurance coverage]~~ all providers to  
2 disclose in writing [~~that the provider does not have coverage]~~  
3 to each parent or guardian:

4 (1) Applying to have a child cared for at the provider's  
5 facility, [~~if the provider has no]~~ summary information  
6 including the insurer's name and contact information,  
7 coverage amounts, and effective dates for the  
8 provider's liability insurance coverage at the time of  
9 application; or

10 (2) Within seven working days of any change, cancellation,  
11 or termination of liability insurance coverage [~~is~~],  
12 that the coverage [~~is~~] has been changed, canceled, or  
13 terminated while the parent's or guardian's child is  
14 cared for at the provider's facility.

15 (d) The department may suspend or revoke a license,  
16 temporary permit, or certificate of registration of a provider  
17 in accordance with section 346-164 or 346-175, if [~~the~~]:

18 (1) The provider or any employee of the provider knowingly  
19 makes a false statement to any person concerning the  
20 provider's liability insurance coverage [~~-~~]; or



1       (2) The provider does not comply with the insurance  
2           coverage and disclosure requirements of this section  
3           and rules adopted by the department pursuant to this  
4           section.

5       (e) Proof of liability insurance coverage as required by  
6       this section shall be verified by the department on an annual  
7       basis."

8           SECTION 3. The department of human services shall submit a  
9 report to the legislature, no later than twenty days prior to  
10 the convening of the regular session of 2018, on the following  
11 issues related to the liability insurance requirements  
12 established by section 2 of this Act:

13       (1) The amount of liability insurance coverage required to  
14       be obtained by child care providers;

15       (2) The costs incurred by child care providers to obtain  
16       liability insurance and the projected impact these  
17       costs may have on the rates charged to consumers; and

18       (3) Outreach efforts conducted by the department, to  
19       ensure compliance with the requirements of this Act.

20       SECTION 4. Statutory material to be repealed is bracketed  
21 and stricken. New statutory material is underscored.



1 SECTION 5. This Act shall take effect on July 1, 2017;  
2 provided that enforcement of the liability insurance  
3 requirements under section 2 of this Act shall take effect on  
4 January 1, 2019.

APPROVED this 11 day of JUL , 2017



GOVERNOR OF THE STATE OF HAWAII



HB No. 674, HD 2, SD 2, CD 1

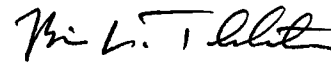
THE HOUSE OF REPRESENTATIVES OF THE STATE OF HAWAII

Date: May 2, 2017  
Honolulu, Hawaii

We hereby certify that the above-referenced Bill on this day passed Final Reading in the House of Representatives of the Twenty-Ninth Legislature of the State of Hawaii, Regular Session of 2017.



Joseph M. Souki  
Speaker  
House of Representatives





Brian L. Takeshita  
Chief Clerk  
House of Representatives

**THE SENATE OF THE STATE OF HAWAII**

Date: May 2, 2017  
Honolulu, Hawaii 96813

We hereby certify that the foregoing Bill this day passed Final Reading in the  
Senate of the Twenty-ninth Legislature of the State of Hawaii, Regular Session of 2017.

  
President of the Senate

  
Clerk of the Senate