

JAN 20 2017

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# A BILL FOR AN ACT

RELATING TO CHILD CARE FACILITIES.

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

1           SECTION 1. Section 346-153, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "**§346-153 Records of deficiencies and complaints; release**  
4 **to public[-]; report to legislature.** (a) For every child care  
5 facility, the department shall maintain records for the current  
6 and previous two years of: results of its inspections;  
7 notifications to providers of deficiencies; corrective action  
8 taken; complaints of violations of rules adopted under this  
9 part; results of its investigations; resolution of complaints;  
10 and suspensions, revocations, reinstatements, restorations, and  
11 reissuances of licenses, temporary permits, and registrations  
12 issued under this part. Notwithstanding any other law to the  
13 contrary, the records described in this section shall be  
14 available for inspection in the manner set forth in chapter 92F  
15 and [may] shall be posted by the department on a public website;  
16 provided that with respect to records of family child care homes  
17 and group child care homes, sensitive personal information,



1 including home addresses, or information provided to the  
2 department with the understanding that it would not be publicly  
3 divulged shall be deleted or obliterated prior to making the  
4 records available to the public. Nothing in this section shall  
5 authorize the department to release the names of or any other  
6 identifying information on complainants. The department may  
7 withhold information on a complaint for which an investigation  
8 is being conducted for not more than ten working days following  
9 the date of filing of the complaint; provided that if an  
10 investigation relates to an alleged criminal offense, no  
11 information shall be released until the investigation has been  
12 completed and the director has determined that no legal  
13 proceeding will be jeopardized by its release.

14 (b) The department shall submit a report to the  
15 legislature no later than twenty days prior to the convening of  
16 each regular session that includes the following information  
17 from the records maintained pursuant to subsection (a):

- 18 (1) Complaints of violations of rules adopted pursuant to  
19 this part and actions the department took to address  
20 the complaints;  
21 (2) Results of investigations; and



1        (3) License revocations."

2        SECTION 2. Statutory material to be repealed is bracketed  
3 and stricken. New statutory material is underscored.

4        SECTION 3. This Act shall take effect on July 1, 2017.

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# S.B. NO. 748

**Report Title:**

Child Care Facilities; Records; Public Posting; Report

**Description:**

Requires the department of human services to post its inspection records of child care facilities on a public website and submit an annual report to the legislature of certain information from inspection records related to child care facilities.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

