

Honolulu, Hawaii

APR 06 2018RE: H.B. No. 2530
H.D. 1
S.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sir:

Your Committee on Commerce, Consumer Protection, and Health,
to which was referred H.B. No. 2530, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO CHILD CARE,"

begs leave to report as follows:

The purpose and intent of this measure is to:

- (1) Repeal language that requires the Department of Human Services to determine the amount of liability insurance coverage required to be obtained and maintained by child care providers; and
- (2) Amend Act 161, Session Laws of Hawaii 2017 (Act 161), by extending the deadline for the Department of Human Services to submit a report to the Legislature, amending the information to be included in the report, and extending the implementation and enforcement deadline for the liability insurance requirements until July 1, 2019.

Your Committee received testimony in support of this measure from the Department of Human Services, O'ahu County Committee on Legislative Priorities of the Democratic Party of Hawai'i, Oahu Family Childcare Business Association, Keiki Ohana Daycare, and one individual.



Your Committee finds that the intent of Act 161 was to strengthen minimum standards on child care and improve the health and safety of children by requiring child care providers subject to regulation by the Department of Human Services (Department) to obtain and maintain liability insurance coverage. Your Committee further finds that some child care providers indicated to the Department that they were considering no longer registering with the Department or providing child care, as a result of Act 161's insurance requirements. According to the Department, there was a twelve percent decrease in the number of homes that were regulated by the Department between December 2016 and December 2017. The Department also testified that information obtained from other states that require liability insurance coverage indicated most states only require child care providers to produce evidence of insurance, rather than establishing minimum coverage requirements within child care regulatory requirements.

Your Committee finds that this measure removes the requirement that the Department determine the amount of liability insurance coverage required for child care providers, as the Department is not the appropriate entity to determine the amount of such coverage. This measure also provides the Department with additional time to submit a report to the Legislature regarding certain implementation and enforcement requirements under Act 161.

Your Committee has amended this measure by:

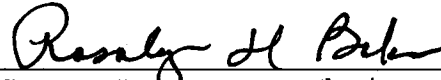
- (1) Removing the requirement for child care providers to disclose to each parent or guardian applying for child care at the child care facility a summary of information for liability insurance coverage;
- (2) Changing its effective date to upon approval; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Commerce, Consumer Protection, and Health that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2530, H.D. 1, as amended herein,



and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2530, H.D. 1, S.D. 1.

Respectfully submitted on
behalf of the members of the
Committee on Commerce, Consumer
Protection, and Health,




ROSALYN H. BAKER, Chair



The Senate
Twenty-Ninth Legislature
State of Hawai'i

Record of Votes
Committee on Commerce, Consumer Protection, and Health
CPH

Bill / Resolution No.:*	Committee Referral:	Date:		
HB 2530, HD1	HMS, CPH	4/3/18		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
BAKER, Rosalyn H. (C)	X			
TOKUDA, Jill N. (VC)				X
CHANG, Stanley	e			
ESPERO, Will	X			
IHARA, Jr., Les	X			
NISHIHARA, Clarence K.				X
RUDERMAN, Russell E.	X			
TOTAL	5			2
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature:				
				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes