



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339  
Honolulu, Hawaii 96809-0339

March 11, 2018

TO: The Honorable Senator Josh Green, Chair  
House Committee Health and Human Services

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 1859 HD2 - Relating to Children**

Hearing: Monday, March 12, 2018  
Conference Room 016, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) appreciates the intent of this bill and provides comments.

DHS encourages the legislature to further discuss the issue raised in testimony regarding access to benefits and services that an individual may no longer be eligible to receive as a result of emancipation. For example, although the measure contemplates the minor has financial means to become emancipated, an emancipated minor, because of their minority, would not be eligible to apply for General Assistance benefits as a single disabled adult. Also, Supplemental Nutrition Assistance Program (SNAP) rules require that a child who is 21 years of age and under who resides with natural, adoptive or stepparents must be included as part of the SNAP household; emancipation would not impact this program rule. DHS cautions that there may be other benefits and services that may not be available due to the individual's age or relationship, regardless of emancipation.

**PURPOSE:** The purpose of the bill is to allow a minor to petition the Family Court for emancipation, and directs the court regarding investigation of the petition, appointment of legal counsel and a guardian ad litem for the petitioner, and the findings necessary to grant the petition. The bill also specifies the rights gained by the minor upon emancipation

and authorizes the court to require the minor's parents or legal guardians to pay for any services ordered by the court.

The DHS appreciates the amendments made by the House Committee on the Judiciary:

- (1) Deleting redundant language allowing the court to enter an order declaring a minor emancipated if the minor's parents or legal guardians are unable or unwilling to provide basic material support to the minor or have deserted or abandoned the minor;
- (2) Clarifying the necessary elements that must be met before the Family Court grants a petition for emancipation and finds that the minor understands the rights, responsibilities, and alternatives, if any, to emancipation; and
- (3) Making technical, nonsubstantive amendments for clarity, consistency, and style.

See House Standing Committee Report No. 1082-18.

Thank you for the opportunity to testify on this bill.

# HAWAII YOUTH SERVICES NETWORK

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Rick Collins, President

Judith F. Clark, Executive  
Director

Bay Clinic

Big Brothers Big Sisters of  
Hawaii

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of  
West Hawaii

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action  
Network

Hawaii Student Television

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Maui Youth and Family Services

P.A.R.E.N.T.S., Inc.

Parents and Children Together  
(PACT)

Planned Parenthood of the  
Great Northwest and  
Hawaiian Islands

PHOCUSED

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community  
Center

The Catalyst Group

March 9, 2018

To: Senator Josh Green  
And members of the Committee on Human Services

## COMMENTS ON HB 1859 HD 2 RELATING TO CHILDREN

Hawaii Youth Services Network (HYSN), a statewide coalition of youth-serving organizations, is providing comments on HB 1859 HD 2 Relating to Children.

HD 2 clarifies and resolved most of the concerns that HYSN has expressed at previous hearings on this bill. It provides safeguards to ensure that the minor has the necessary skills to manage one's own affairs and that the minor understands the responsibilities that he or she is taking on.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH  
Executive Director

**HB-1859-HD-2**

Submitted on: 3/12/2018 1:15:52 AM

Testimony for HMS on 3/12/2018 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Kai Derrickson	Testifying for Young Progressives Demanding Action “ Hawaii	Support	Yes

Comments:

To The Senate Board Committee on Human Services:

In the state of Hawaii, the only current way for a minor to become emancipated is through marriage. Many minors in the state of Hawaii are living separately from their parents. These minors may have been thrown of the house or may have chosen to leave due to ongoing abuse, neglect, or severe family problems such as alcoholic or drug-addicted parents. The current law in Hawaii punishes self-supporting youth who seek to leave their homes for these reasons and forces them to return to an unstable home environment. Many are unable to access much-needed services due to the need for parental consent. This makes it difficult for these minors accessing services for youth to authorize their own health care or apply for public benefits. Emancipation for young persons who are able to support themselves, in cases of abandonment or severe family conflict, could help them function in society. Allowing these self-supporting minors to become emancipated would allow them the freedom to make their own educational, health-care, and housing-related decisions essential for their current and future well-being. HB1859 HD2 is a step in the right direction.

Mahalo,

Kainani Derrickson

Young Progressives Demanding Action – Hawaii

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**HB-1859-HD-2**

Submitted on: 3/9/2018 5:38:21 PM

Testimony for HMS on 3/12/2018 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Alika Campbell	Individual	Comments	No

Comments:

I support the basic intent of this measure, however am concerned about how it is implemented. I think the process needs to be thorough enough to fairly assess the minor's ability to care for him/herself while not being so complicated/expensive that it prevents individuals applying. I don't really have specific suggestions, but would just like to know that you all are considering possible unintended consequences for the minors.

**HB-1859-HD-2**

Submitted on: 3/10/2018 7:18:42 PM

Testimony for HMS on 3/12/2018 2:45:00 PM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Jaunette Itsuno	Individual	Support	No

Comments: