

HB199 HD2

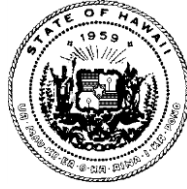
Measure Title: RELATING TO ADULT PROTECTIVE SERVICES.

Report Title: Adult Protective Services; Vulnerable Adult; Physical Isolation

Description: Authorizes the Department of Human Services to investigate allegations of the physical isolation of vulnerable adults and take corrective action including obtaining judicial relief. (HB199 HD2)

Current Referral: HMS, JDL

Introducer(s): OHNO



STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES
P. O. Box 339
Honolulu, Hawaii 96809-0339

March 17, 2017

TO: The Honorable Josh Green, Chair
Senate Committee on Human Services

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 199 HD 2 – RELATING TO ADULT PROTECTIVE SERVICES**

Hearing: Friday, March 17, 2017, 2:50 p.m.
Conference Room 016, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of this bill, and offers comments and proposed amendments.

PURPOSE: The purpose of the bill is to authorize DHS to investigate allegations of the physical isolation of vulnerable adults and take corrective action including obtaining judicial relief.

DHS confirms that physical isolation is an element to be considered in any reported abuse incident involving a vulnerable adult. Physical isolation is used to conceal abuse or to prevent access to the vulnerable adult's support system. Current procedures for adult protective services (APS) investigations include documenting evidence of any physical or social isolation that adversely affects the health, safety, or welfare of the vulnerable adult. Any finding of isolation serves as evidence to support or refute an allegation of abuse as defined in section 346-222, Hawaii Revised Statutes (HRS), regardless of the type of abuse. Physical isolation as a stand-alone type of abuse is redundant since the element of physical isolation is applicable to all types of abuse.

The focus of APS is on the immediate protection of the vulnerable adult. A key factor in an APS investigation is the victim's health, safety, or welfare versus the contention of individuals alleging that they are restricted access to the alleged victim due to irreconcilable differences. To require state intervention in the form of an APS investigation into disputes that do not affect the welfare of the vulnerable adult would divert the attention of APS from other vulnerable adults who require immediate intervention to address abusive situations. Such disputes would be better addressed through legal remedies or mediation.

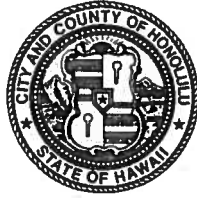
DHS makes the following recommendations:

- We agree to the addition of the proposed definition of "physical isolation," as specified in HB199 HD2;
- We do not recommend the addition of "physical isolation" as a new enumerated type of abuse; and
- The proposed definition of "physical isolation" in HB199 HD2, should be included in the definitions of all of the six (6) types of abuse currently identified in section 346-222, HRS. We do not recommend that the proposed definition of physical isolation be confined only to the definitions of "caregiver neglect" and "psychological abuse".

Thank you for the opportunity to testify on this bill.

POLICE DEPARTMENT
CITY AND COUNTY OF HONOLULU

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LOUIS M. KEALOHA
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JERRY INOUE
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OUR REFERENCE WO-NC

March 17, 2017

The Honorable Josh Green, Chair
and Members
Committee on Human Services
State Senate
Hawaii State Capitol
415 South Beretania Street, Room 016
Honolulu, Hawaii 96813

Dear Chair Green and Members:

SUBJECT: House Bill No. 199, H.D. 2, Relating to Adult Protective Services

I am Walter Ozeki, Captain of the Criminal Investigation Division of the Honolulu Police Department (HPD), City and County of Honolulu.

The HPD supports House Bill No. 199, H.D. 2, Relating to Adult Protective Services.

By adding the condition of "physical isolation" as a form of abuse, caregiver neglect, and/or psychological abuse to Section 346-222 of the Hawaii Revised Statutes, we acknowledge the damaging effects of physical isolation on the well-being of dependent adults. The change would enable our department to better protect these vulnerable adults against a previously ignored condition.

The HPD urges you to support House Bill No. 199, H.D. 2, Relating to Adult Protective Services.

Thank you for the opportunity to testify.

APPROVED:

Handwritten signature of Cary Okimoto in black ink.

Cary Okimoto
Acting Chief of Police

Sincerely,

Handwritten signature of Walter Ozeki in black ink.

Walter Ozeki, Captain
Criminal Investigation Division

From: mailinglist@capitol.hawaii.gov
Sent: Thursday, March 16, 2017 10:21 PM
To: HMS Testimony
Cc: begoniabarry@gmail.com
Subject: *Submitted testimony for HB199 on Mar 17, 2017 14:50PM*

HB199

Submitted on: 3/16/2017

Testimony for HMS on Mar 17, 2017 14:50PM in Conference Room 016

Submitted By	Organization	Testifier Position	Present at Hearing
Barbara Barry	Individual	Support	No

Comments:

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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