

SB-2875

Submitted on: 2/4/2018 4:04:58 PM

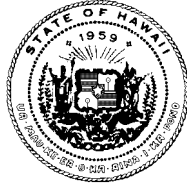
Testimony for HMS on 2/5/2018 3:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
DELORSE RAPOZA	FAMILY CHILDCARE PROVIDER	Support	No

Comments:

It is important to repeal language that requires childcare providers to disclose a summary of information relating to liability insurance coverage to parents applying for childcare at family childcare businesses.

The insurer's name and contact information, coverage amounts, and effective dates for liability insurance coverage should not be known to parents at the time of application.



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

February 4, 2018

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

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2875 – RELATING TO INSURANCE**

Hearing: Monday, February 5, 2018, 3:45 p.m.
Conference Room 016, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports proposed amendments to the notice requirements of Act 161, Session Laws of Hawaii (SLH) 2017, and provides comments. DHS submitted an administration proposal SB 2787 to amend other provisions of Act 161, SLH 2017, and DHS asks that all amendments to Act 161, SLH 2017, be consolidated in the same measure.

PURPOSE: The purpose of the bill is to repeal language that requires child care providers to disclose a summary of information that includes the insurer's name and contact information, coverage amounts, and effective dates for liability insurance coverage.

The primary focus of the DHS child care licensing program is on the health and safety of all children in child care. The intent of Act 161, Session Laws of Hawaii (SLH) 2017, was to strengthen minimum standards of child care to improve health and safety of children by requiring child care providers to obtain and maintain liability insurance coverage. Prior to Act 161, SLH 2017, the department was prohibited from requiring regulated child care providers to obtain and maintain liability insurance coverage.

The department submitted its report to the twenty-ninth Hawaii State Legislature 2018 in accordance with Section 3 of Act 161, SLH 2017. The department also conducted

outreach efforts through its contractor to conduct surveys and convene in-person meetings statewide. Child care providers also contacted legislative members, the department's Child Care Licensing offices, and the Child Care Program Office to ask questions and express their concerns regarding the provisions of Act 161, SLH 2017. Child care providers expressed concerns about providing the coverage amount to parents and guardians as they felt the information was private and should be confidential information, to be provided only to the Department for verification for licensure or registration, and to be provided to parents and guardians *when* an incident or injury occurred at the child care facility. Providers said that disclosing the amount of coverage the provider maintains may be an inducement for families to sue or to look for the provider with the most coverage in order to sue. Providers suggested that families would know that the provider maintains liability insurance coverage because the Department would verify that coverage is maintained at time of application and renewal of licensure or registration.

DHS supports this proposal, and asks that the legislature to incorporate changes to Act 161 (2017) in one measure. The administration's measure SB 2987, amongst other things, extends the effective and enforcement dates of Act 161 (2017), so that the issue of liability insurance are resolved.

As of the end of December 2017, Hawaii has about 350 independent home-based child care providers which is a decrease of 12% of the number of homes that were regulated at the end of December 2016. This is a national trend as well.

DHS support efforts to finding the appropriate legislative mandate that provides parents with assurance that their child is in a safe and healthy child care setting, and addresses concerns of child care providers to encourage their continued willingness to continue providing the valuable service of regulated child care.

Thank you for the opportunity to provide comments on this measure.

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Submitted on: 2/5/2018 8:40:26 AM

Testimony for HMS on 2/5/2018 3:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Shelby Man		Support	No

Comments:

I feel that disclosure of the information is unnecessary. Providers already provide proof of minimum insurance coverage to the Department of Human Services as part of the licensing approval process.

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Submitted on: 2/5/2018 1:17:30 PM

Testimony for HMS on 2/5/2018 3:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lori Tanicala	Precious Little Ones Child Day Care	Support	No

Comments:

SB 2875 RELATING TO CHILD CARE PROVIDERS.

Repeals language that requires child care providers to disclose a summary of information that includes the insurer's name and contact information, coverage amounts, and effective dates for liability insurance coverage.

September 21, 2017

Governor Ige
Legislature Representatives

I Lori Tanicala a License Child Day Care Provider in Makawao, Maui, Hi along with lots of other License Child Care providers have a great concerns regarding Bill H.B. NO 647 ACT161 the proposed and Signed bill by Governor Ige which would require Family Child Care Homes to obtain liability insurance and the details of the bill.

We do have concerns and do not agree with requirements within the bill in which it states that providers needs to disclosed in writing to each parent or guardian that is applying and or enrolled to have day care for at the provider's facility Liability

insurance summary information including the insurer's name and contact information, coverage amounts, and effective dates of coverage.

We do not feel its right to ask Family Child Care Homes to disclose such detailed personal Liability Insurance information during the application process of enrollment and to enrolled families. We believe detailed insurance information should be given if and when injury occurs.

We believe a written statement stating Family Child Care Home has liability insurance in which meets DHS Liability Insurance requirements is sufficient at time of enrollment process and during enrollment.

Parent and or guardians should know insurance is a DHS requirement. Parent and or guardian should ask to see Family Child Care Home License Certification Certificate in which should be displayed in facility. This should be sufficient information for parent and or guardian to know that the Family Child Care Home have complied to DHS liability insurance requirements.

We do feel this required portion of bill will put license Day Care Child Providers at risk for community families to take advantage of having such detail personal insurance information before any injury has even or will ever occur. Here is a few

Example to clarify the unfairness to this fact. Does the State of Hawaii Legislature required all State Public Schools to give in written form to all enrolled families the State of Hawaii Liability Insurance detailed information summary of insurance provider, contact information, coverage amount and effective date of coverage. Just incase a child gets hurt on playgrounds and or campus. In which they can make a injury claim with the State of Hawaii Liability Insurance Company. NO you do not. Your asking DHS Registered Family Child Care Providers to do something you as a State of Hawaii don't even do yourself within the DEO State School Facilities.

Also is it a law that resident of State of Hawaii with registered vehicles required to post on their vehicles detailed personal auto insurance information incase of a possible accident. No its at the time of an accident that has occurred than there is an exchange of such information with only who has been involved.

Also is it a law that Doctors License within the State of Hawaii give in written form to every Patient they have their Liability Insurers name and contact information, coverage amount and date of effective coverage in advance before providing care incase of accidental wrong treatment that they may provide. No they don't its not till something tragic has occurred that they are

to give out such information.

With this Bill Act 161 the
Governor and Hawaii State
legislature has ask DHS
registered Family Child Care
Home Providers to do something
you yourself would not even do
and have not ask of other p

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Submitted on: 2/5/2018 2:57:56 PM

Testimony for HMS on 2/5/2018 3:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Winifred J Cambra	Country Fun Childcare	Support	No

Comments:

I Winifred Cambra childcare provider support bill SB2875.