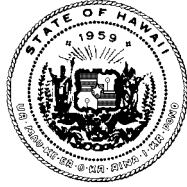


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March 3, 2020

TO: The Honorable Senator Russell E. Ruderman, Chair
Senate Committee on Human Services

FROM: Pankaj Bhanot, Director

SUBJECT: **HB 2336 HD1 – RELATING TO CHILD ABUSE**

Hearing: March 6, 2020, 2:45 p.m.
Conference Room 016, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) supports this administration measure. The House Committee on Human Services defected the effective date; however, to remain compliant with federal law, Hawaii law must reflect federal law changes by June 30, 2020. Respectfully, we request that the measure be amended to an effective date of June 30, 2020.

PURPOSE: This bill adds immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations. Effective 12/31/2059. (HD1)

On January 7, 2019, the federal Victims of Child Abuse Act Reauthorization Act of 2018 (P.L. 115-24), was enacted, further amending the Child Abuse and Prevention Act (CAPTA). The amendment grants immunity from civil and criminal prosecution to people who provide information or assistance to a good faith report of child abuse and/or neglect. This includes medical evaluations and professional consultations.

Hawaii's child abuse and neglect mandated reporting law, section 350, et seq., Hawaii Revised Statutes (HRS), requires amendment to be consistent with this CAPTA requirement. The bill adds language to section 350-3(a), HRS, that will ensure that Hawaii is compliant with CAPTA.

As part of the approval of the State's CAPTA Program Improvement Plan received in November 2019, the federal Administration for Children and Families informed DHS that the State's failure to come into compliance with the amended section of CAPTA by June 30, 2020, will result in withholding of FY 2021 CAPTA State Grant funding. As such, the effective date of this measure must be on or before June 30, 2020.

Thank you for the opportunity to testify on this bill.

HB-2336-HD-1

Submitted on: 3/3/2020 4:40:36 PM

Testimony for HMS on 3/6/2020 2:45:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Andrea Quinn	Individual	Support	No

Comments: