



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

February 2, 2020

TO: The Honorable Joy A. San Buenaventura, Chair  
Senate Committee on Human Services

FROM: Pankaj Bhanot, Director

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

Hearing: February 5, 2020, 9:00 a.m.  
Conference Room 329, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this administration measure.

**PURPOSE:** The purpose of this bill is to add immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations. This measure will bring Hawaii's law into compliance with recent amendments to federal law.

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**

Submitted on: 1/29/2020 12:46:25 AM

Testimony for HSH on 2/5/2020 9:00:00 AM

<b>Submitted By</b>	<b>Organization</b>	<b>Testifier Position</b>	<b>Present at Hearing</b>
Natalie Speedracer	Individual	Oppose	Yes

Comments:

During my split from an abusive x, who is also the father to my twins, his mother, he and others made false allegations that could never be proven and claimed they were made "in good faith" they do NOT deserve immunity! This is too simple, we dont live in a simple world now.