

THE SENATE
THE THIRTY-FIRST LEGISLATURE
REGULAR SESSION OF 2021

COMMITTEE ON HUMAN SERVICES
Senator Joy A. San Buenaventura, Chair
Senator Les Ihara, Jr., Vice Chair

AMENDED NOTICE OF HEARING

DATE: Thursday, February 11, 2021
TIME: 3:00 PM
PLACE: Conference Room 225

THE STATE CAPITOL IS CLOSED TO THE PUBLIC DURING THE ONGOING COVID-19 PANDEMIC

To comply with social distancing requirements, only written and videoconference testimony will be accepted. If you wish to testify via videoconference you must also submit written testimony.

A live stream of all Senate Standing Committee meetings will be available on the [Senate YouTube Channel](#).

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A M E N D E D A G E N D A

SB 543

[Status &
Testimony](#)

RELATING TO HUMAN TRAFFICKING.

Establishes a statewide coordinator and program within the department of the attorney general to provide services and assistance to sexually exploited children and victims of human trafficking. Requires the attorney general to submit reports to the legislature. Requires the children's justice program to coordinate the investigation and case management of human trafficking cases, including cases involving the sexual exploitation of children.

HMS, WAM/JDC

SB 577

[Status &
Testimony](#)

RELATING TO FAMILY COURT.

Amends provisions relating to criteria and procedures in family court determinations regarding custody and visitation rights. Clarifies that a parent's felony conviction for a violent or sexual offense in which the victim was a minor, or requirement to register as a sex offender, raises a rebuttable presumption that custody or visitation by that parent is not in the best interest of the child. Requires courts to consider registration as a sex offender a presumption of risk that affects the burden of producing evidence. Requires courts to state reasons for findings in writing or on the record, including specific findings that there is no risk to the child's health, safety, and welfare.

HMS, JDC

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| <p>SB 821 Status & Testimony</p> | <p>RELATING TO CHILDREN. Allows a minor who has reached the age of 16 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. 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. Requires emancipation proceedings to be stayed until final disposition of the minor's child protective case under Chapter 587A, HRS.</p> | <p>HMS, JDC</p> |
| <p>SB 822 Status & Testimony</p> | <p>RELATING TO CHILD WELFARE. Defines and recognizes rights in trust for children within the Child Protective Act. Requires family court to appoint guardian ad litem in custody cases. Provides that when a child is subject to harm or imminent harm, has been harmed, or may suffer probable harm is sufficient for police officer to take child into protective custody without court order, for department of human services to assume temporary foster custody of child, and for the department of human services to conduct an investigation.</p> | <p>HMS, JDC</p> |
| <p>SB 838 Status & Testimony</p> | <p>RELATING TO SERVICES FOR KUPUNA. Allows the executive office of aging to relax the thirty-hour employment requirement for qualified caregivers under the Kupuna Caregivers Program during a state-declared state of emergency. Adds the option of kupuna caregiver-directed services to the kupuna caregivers program. Includes assisting the care recipient and caregiver with the enrollment process as the duty of a coach. Allows funds under the Kupuna Caregivers Program to be issued to the care recipient's financial management service provider.</p> | <p>HMS, CPN</p> |
| <p>SB 885 Status & Testimony</p> | <p>RELATING TO THE CHILD PROTECTIVE ACT. Requires the family court to appoint counsel to indigent parents in foster care cases and make every effort to do so at the first hearing attended by the parent.</p> | <p>HMS, WAM/JDC</p> |
| <p>SB 1041 Status & Testimony</p> | <p>RELATING TO CRIME. Creates a separate offense for those who provide anything of value to engage in sexual conduct with another; adds sex trafficking to offenses that can be prosecuted at any time; makes a person strictly liable for sex trafficking of a minor in terms of the victim's age; changes the name of the crime of solicitation of a minor for prostitution to commercial sexual exploitation of a minor while closing loopholes in the law that allow offenders to escape liability, and increases the grade of offense to a class B felony; adds "anything of value" to reflect the reality of non-monetary compensation used in commercial sexual exploitation.</p> | <p>HMS, JDC</p> |
| <p>SB 1128 Status & Testimony</p> | <p>RELATING TO OFFICE OF YOUTH SERVICES. Permits individual vocational programs within the purview of the Office of Youth Services to engage in commercial enterprises, including the sale of goods and services, for self-sustainability purposes, for young adults only. Establishes the Office of Youth Services Revolving Fund.</p> | <p>HMS, JDC/WAM</p> |

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| <u>SB 1129</u> <u>Status & Testimony</u> | RELATING TO REPORTS OF CHILD ABUSE. Adds immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations. | HMS, JDC |
| <u>SB 1134</u> <u>Status & Testimony</u> | RELATING TO ADULT PROTECTIVE SERVICES. Broadens the Department of Human Services employees' right of entry into a vulnerable adult's premises from physical abuse to abuses as defined in HRS section 346-222, Hawaii Revised Statutes. | HMS, JDC |
| <u>SB 1137</u> <u>Status & Testimony</u> | RELATING TO THE SPOUSE AND CHILD ABUSE SPECIAL FUND. Amends the spouse and child abuse special fund to allow up to \$5,000,000 of federal reimbursements received from the U.S. Department of Health and Human Services, Administration for Children and Families, in the year following the fiscal year in which Family First Prevention Services funds and the Title IV-E funds were expended to be deposited and retained. | HMS, WAM |
| <u>SB 1142</u> <u>Status & Testimony</u> | RELATING TO SERVICES FOR KUPUNA. Adds kupuna caregiver-directed services to kupuna caregivers program. Includes financial management service provider and additional duties for the coach. Allows for qualified caregivers to work less than 30 hours a week or be unemployed during a declared state of emergency. | HMS, WAM |
| <u>SB 1132</u> <u>Status & Testimony</u> | <u>RELATING TO THE MEDICAID SUSTAINABILITY PROGRAM.</u> <u>Establishes the Medicaid Sustainability Program for two years.?</u> <u>Appropriates funds out of the Medicaid Sustainability Program Special Fund for fiscal years 2021-2022 and 2022-2023.?</u> | HMS, WAM/JDC [Measure added on 02-08-21] |

Decision Making to follow, if time permits.

All testimony received by the Hawai'i Senate is posted on the Hawai'i Legislature's website, which is accessible to the public. Please do not include private information that you do not want disclosed to the public.

Persons wishing to submit written testimony or request to testify via videoconference may do so up to 24 hours prior to the hearing.

Click [here](#) to submit **written testimony**.

If you wish to **testify via videoconference** during the hearing, please sign in to your account on the Legislature's website, then click on the "Testimony" icon on the home page. Detailed step-by-step instructions are available on the testimony submittal page. They are also posted on the Legislature's website [here](#).

Please note the following:

- The number of videoconference testifiers and/or time allotted to each testifier may be limited by the Chair when necessary to adhere to the committee hearing schedule. We may not be able to accommodate everyone who requests to testify remotely.
- Videoconference testifiers for this hearing will be limited to **two minutes** each.

For general help navigating the committee hearing process, please contact the Public Access Room at (808) 587-0478 or par@capitol.hawaii.gov. You can also visit their website at <https://lrb.hawaii.gov/par/>.

For special assistance: The cable TV broadcast and/or live stream of this meeting will include closed captioning. If you require other auxiliary aids or services to participate in the public hearing process (i.e., interpretive services (oral or written) or ASL interpreter), or are unable to submit testimony via the website due to a disability, please contact the committee at HMScommittee@capitol.hawaii.gov at least 24 hours prior to the hearing.

For amended notices: Measures that have been deleted are stricken through and measures that have been added are underscored. If a measure is both underscored and stricken through, that measure has been deleted from the agenda.

FOR FURTHER INFORMATION, PLEASE CALL THE COMMITTEE CLERK AT (808) 586-6890.

Senator Joy A. San Buenaventura
Chair