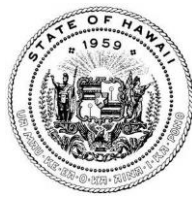


DAVID Y. IGE
GOVERNOR



EXECUTIVE CHAMBERS
HONOLULU

March 16, 2021

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

FROM: Scott Morishige, MSW, Governor's Coordinator on Homelessness

SUBJECT: **HB 282 HD1 – RELATING TO MINORS**

Hearing: Tuesday, March 16, 2021, 3:00 p.m.
VIA VIDEO CONFERENCE
Conference Room 225, State Capitol

POSITION: The Governor's Coordinator on Homelessness appreciates the intent of this measure, offers comments, and respectfully suggests amendments.

PURPOSE: The purpose of the bill is to expand circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with Department of Human Services (DHS) child welfare services.

This measure appears intended to increase access to emergency shelter for homeless minors under the age of 18. Increasing access to shelter aligns with the goals of the [Hawaii Interagency Council on Homelessness \(HICH\) ten-year strategic plan](#), which include a specific focus on improving access to services that address youth development, including strengthening support for homeless minors.

As currently drafted, the bill does not appear to achieve the intent of expanding emergency shelter options for unaccompanied minors. To facilitate discussion on this issue, the Coordinator convened a meeting with DHS child welfare staff and youth service providers in February 2021. Based on feedback received at that meeting, the current definition of "provider" in section 346-17.6(h), Hawaii Revised Statutes (HRS), does not include organizations that are not licensed as a Child Caring Institution or Child Placing Organization and may restrict some youth providers from providing temporary shelter to unaccompanied minors.

To address the concerns identified at the February 2021 meeting, the Coordinator suggests that instead of the current proposed amendments, the definition of “provider” in section 346-17.6 (h), HRS, be amended to read as follows:

"Provider" means any child placing organization, or child caring institution authorized by the department under section 346-17 to receive or place minor children for care and maintenance and to provide related services, health care, or supplies to these minors [-], or an organization that is not a child placing organization or child caring institution that:

- (1) Conducts criminal history clearances, child abuse and neglect (CA/N) registry checks, background, employment, and any other checks as may be required by state or federal law on an annual basis for all employees and volunteers;
- (2) Maintains separate sleeping areas for unrelated adults and minor children;
- (3) Serves no more than five minor children per day;
- (4) Keeps a current register of all minors admitted; and
- (5) Coordinates with the department to provide shelter or other services for a minor child."

In addition, the Coordinator proposes the bill be further amended to take effect upon approval, provided that it will be repealed on June 30, 2023 and section 346-17.6(h), Hawaii Revised Statutes, shall be reenacted in the form in which it read on the day prior to the effective date.

The proposed amendments will provide time for DHS to monitor the impact of the amended definition of “provider” to determine if this amendment is effective in expanding access to emergency shelter for unaccompanied minor children, while still addressing health and safety concerns and ensuring coordination between the provider and DHS. While the amended definition is in effect, DHS will continue dialogue with youth service providers and solicit input on longer term changes to its administrative rules regarding Child Caring Institutions.

Thank you for the opportunity to testify on this bill.

HB-282-HD-1

Submitted on: 3/15/2021 11:57:04 AM

Testimony for HMS on 3/16/2021 3:00:00 PM

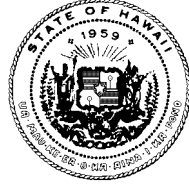
Submitted By	Organization	Testifier Position	Present at Hearing
Daisy Hartsfield	Testifying for DHS-SSD	Comments	No

Comments:

DHS submitted written testimony seperately. I will be present at the hearing to tesify on behalf of DHS and answer any questions.

LATE

DAVID Y. IGE
GOVERNOR



CATHY BETTS
DIRECTOR

JOSEPH CAMPOS II
DEPUTY DIRECTOR

STATE OF HAWAII
DEPARTMENT OF HUMAN SERVICES

P. O. Box 339
Honolulu, Hawaii 96809-0339

March 15, 2021

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

FROM: Cathy Betts, Director

SUBJECT: **HB 282 HD1 – RELATING TO MINORS.**

Hearing: Tuesday, March 16, 2021, 3:00 p.m.
Via Videoconference, State Capitol

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

PURPOSE: The purpose of this bill is to expand the circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with DHS child welfare services.

DHS recognizes that there is a population of unaccompanied youth who avoid shelter services for fear of being placed into the foster care system. The bill aims to broaden the access to authorized shelters and agrees that minors should be able to access temporary shelter services without fear of further system involvement. Allowing greater access to shelter services will allow unaccompanied youth to access social services that will assist to stabilize their living situation and enhance their future.

However, the current proposal may not sufficiently address the issue. The current definition of "provider" in section 346-17.6(h), Hawaii Revised Statutes (HRS), does not include organizations that are not licensed as Child Caring Institutions (CCIs) or Child Placing

Organization, which may restrict youth or other providers from providing temporary shelter to unaccompanied minors.

Similarly, in section 17-1627, Hawaii Administrative Rules (HAR), on “Licensing of Child Caring Institutions,” the definition of “provider” does not include organizations that are not licensed as Child Caring Institutions or Child Placing Organization and may restrict youth providers from providing temporary shelter to unaccompanied minors.

DHS has participated in meetings with community partners to determine how the issue can be addressed. DHS is aware and agrees with the Governor’s Coordinator on Homelessness’ proposal to amend the definition of "provider" in 346.17-6(h), HRS, to take effect upon approval, with a proposed sunset date of June 30, 2023, so that section 346-17.6(h), HRS, shall be reenacted in the form in which it read on the day prior to the effective date of this measure if it became law. This will allow time to work with providers and evaluate the impact of the amended definition.

In the meantime, DHS child welfare services will continue the dialogue with how to better service unaccompanied youth. Additionally, DHS is currently in the process of revising section 17-1627, HAR, and anticipates that this will be a long term change needed to support organizations that are not licensed CCIs because expanding the definition of “provider” in the HAR will allow youth service providers the ability to service unaccompanied minors. The amended administrative rules should be completed within the next 12 months.

DHS will also be looking at a “demonstration project” which will allow for modifications and the structure to be created and implemented that will allow shelters to accept unaccompanied minors. A demonstration project will allow stakeholders to co-develop the minimum licensing requirements for shelters to provide services to unaccompanied minors.

Thank you for the opportunity to testify on this bill.

HAWAII YOUTH SERVICES NETWORK

677 Ala Moana Boulevard, Suite 904 Honolulu, Hawaii 96813

Phone: (808) 489-9549

Web site: <http://www.hysn.org> E-mail: info@hysn.org

Carole Gruskin, President

Judith F. Clark, Executive Director

Bay Clinic

Big Brothers Big Sisters of Hawaii

Big Island Substance Abuse Council

Bobby Benson Center

Child and Family Service

Coalition for a Drug Free Hawaii

Collins Consulting, LLC

Domestic Violence Action Center

EPIC, Inc.

Family Programs Hawaii

Family Support Hawaii

Friends of the Children of West Hawaii

Friends of the Children's Justice Center of Maui

Hale Kipa, Inc.

Hale 'Opio Kauai, Inc.

Hawaii Children's Action Network

Hawaii Health & Harm

Reduction Center

Ho'ola Na Pua

Kahi Mohala

Kokua Kalihi Valley

Kokua Ohana Aloha (KOA)

Maui Youth and Family Services

Na Pu'uwai Molokai Native

Hawaiian Health Care Systems

P.A.R.E.N.T.S., Inc.

Parents and Children Together (PACT)

PHOCUSED

PFLAG – Kona Big Island

Planned Parenthood of the

Great Northwest and

Hawaiian Islands

Residential Youth Services

& Empowerment (RYSE)

Salvation Army Family

Intervention Services

Sex Abuse Treatment Center

Susannah Wesley Community Center

The Catalyst Group

March 12, 2021

To: Senator Joy San Buenaventura, Chair,
And members of the Committee on Human Services

Testimony in Support of HB 282 HD 1 Relating to Minors

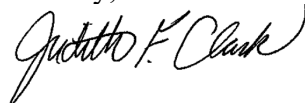
Hawaii Youth Services Network, a statewide coalition of youth-serving organizations, supports HB 282 HD 1 Relating to Minors

Enabling minors to consent for admission to an emergency youth shelter ensures that they are able to escape the dangers of living on the streets in those rare situation in which consent from a parent or guardian cannot be obtained.

In some circumstances, notifying parents or guardians of the minor's location could increase risk of harm by family members or guardians. Physical, sexual and emotional abuse committed by a family member or guardian is often the reason why the minor is seeking a safe shelter. Adding provider coordination with Child Welfare Services as a reason to allow minor consent for shelter will increase the safety of these vulnerable youth.

Thank you for this opportunity to testify.

Sincerely,



Judith F. Clark, MPH
Executive Director



March 13, 2021

Senate's Committee on Human Services
Hawai'i State Capitol
415 South Beretania Street
Honolulu, HI 96813

RE: House Bill 282 - RELATING TO MINORS

Aloha Chair San Buenaventura, Vice Chair Ihara and Committee Members,

I am writing in STRONG SUPPORT for House Bill 282 on behalf of the LGBT Caucus of the Democratic Party of Hawai'i, Hawaii's oldest and largest policy and political LGBTQIA+ focused organization. HB 282 would expand the circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services.

There is currently only one full service shelter in the entire state for homeless unaccompanied minors. It is RYSE (Residential Youth Services and Empowerment) located on the Windward side of O'ahu and RYSE serves 18 – 24 years old and they have 30 beds, 20 males & 10 females.

Hawai'i needs to be expand circumstances in which a minor can consent to entering a no-cost shelter and have the Department of Human Services work to make sure we have such shelters for unaccompanied minors on every island across the state.

Mahalo nui loa for your time and consideration,

Michael Golojuch, Jr.
Chair
LGBT Caucus of the Democratic Party of Hawai'i



Residential Youth Services & Empowerment

March 15, 2021

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

FROM: Carla Houser, Executive Director
Residential Youth Services & Empowerment (RYSE)

SUBJECT: HB282, HD1

Hearing: Wednesday, March 16, 2021, 3pm
Videoconference, Conference Room 225

POSITION: RYSE supports the intent of this measure.

Each year, our organization serves dozens of homeless, unaccompanied minors through street outreach and drop in services. The intent of this bill is to address the needs of these minors who are not currently accessing the state's licensed emergency shelters. These vulnerable youth are instead seeking refuge in homeless encampments and other living conditions that put them at risk for exploitation and further trauma.

RYSE, and other organizations who serve young people ages 14-24, have been limited in our efforts to provide shelter for these unaccompanied minors due to the current Hawaii Revised Statutes that defines "provider" as a licensed childcaring or child placing organization. This hampers our ability to provide a safe place to sleep and the much needed supports these youth so desperately need.

We look forward to continued dialogue with DHS Child Welfare Services about proactive solutions to amend the current administrative rules to ensure our most vulnerable youth have a multitude of pathways to get off the streets.

Mahalo for the opportunity to submit testimony.

Sincerely,

Carla Houser, MSW, Executive Director

PARTNERS IN CARE

Oahu's Continuum of Care

Our mission is to eliminate homelessness through open and inclusive participation and the coordination of integrated responses.

TESTIMONY IN SUPPORT OF HB282, HD1, Relating to Minors Consent to No Cost Shelter

TO: Senate Committee on Human Services
FROM: Partners In Care (PIC)
Hearing: Tuesday, 3/16/2021; 3:00pm; via videoconference
Position: **Support the Intent with Amendments**

Chair San Buenaventura, Vice Chair Ihara and Members of the Senate Committee on Human Services:

Partners In Care, Oahu's Continuum of Care, stands in **Supports the Intent of HB282**, Relating to Minors Consent to No Cost Shelter. Youth experiencing homelessness in Hawaii is a growing issue that needs to be addressed separately from adult and family homelessness. For those adults and families experiencing homelessness, they often have a head of household who is at least 18 and can give legal consent to enter a shelter. For those younger than 18, their options are extremely limited. Programs that provide services to youth are currently not allowed to shelter youth under 18. This puts these youth, who are already very vulnerable, in an impossible situation. Even if they are willing to ask for help, we must close the door on them when it's time to sleep. They are left to fend for themselves on the streets when they need help the most. We have qualified and dedicated providers in our community who currently work with the hundreds of youth throughout the year. They are ready to make sure that those doors are no longer closed to those in need.

Stakeholders concerned with this issue have been working together on this measure and have put together several amendments that will allow the Department to continue to work on concerns. We appreciate the willingness of DHS, the Governor's Coordinator on Homelessness and Providers to come together and agree on several key amendments to this measure. **Please refer to the Governor's Coordinator on Homelessness' testimony for key amendments.** We need to continue to work on balancing the needs of the youth and the responsibility of the system.

The Youth Homelessness Demonstration Project was awarded to the Oahu CoC in 2019 and addresses many of the needs of youth experiencing homelessness. Allowing these same youth entrance into youth specific shelters will further the assistance that our system can provide to youth in Hawaii.

Thank you for your consideration of this measure. Please do not hesitate to contact us if you have any questions. Aloha.

Connie Mitchell, Advocacy Chair, PARTNERS IN CARE, OAHU'S CONTINUUM OF CARE
200 North Vineyard Boulevard • Suite 210 • Honolulu, Hawaii 96817 • (808) 380-9444 •
PICadvocate@gmail.com

HB-282-HD-1

Submitted on: 3/12/2021 5:46:51 PM

Testimony for HMS on 3/16/2021 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Mike Golojuch, Sr.	Testifying for Rainbow Family 808	Support	No

Comments:

Rainbow Family 808 definitely supports HB282 and has done so in the past. Our youth, especially those under 18, who need to leave their unsuitable family setting only had one option in Hawaii, live on the streets since they could not sign themselves into a shelter. Currently, we have one shelter that partially helps homeless unaccompanied minors. This is Residential Youth Services and Empowerment (RYSE) located on the Windward side of O'ahu and RYSE serves 18 – 24 years old. Hawai'i needs to be expanded to include all islands and additional shelter space on O'ahu so a minor can consent to enter a no-cost shelter.

Mike Golojuch, Sr., Secretary/Board Member, Rainbow Family 808

HB-282-HD-1

Submitted on: 3/13/2021 12:52:28 PM

Testimony for HMS on 3/16/2021 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Pride at Work - Hawaii	Testifying for Pride @ Work - Hawaii	Support	No

Comments:

Aloha Senators,

Pride at Work - Hawai'i, the state-wide chapter of Pride At Work (a constituency group of the national AFL-CIO) and an affiliate of the Hawai'i State AFL-CIO, fully supports HB 282.

Mahalo nui loa,

Pride at Work - Hawai'i

TESTIMONY IN SUPPORT OF HB 282, HD 1

TO: Chair San Buenaventura, Vice-Chair Ihara, & Committee Members

FROM: Nikos Leverenz
Grants, Development & Policy Manager

DATE: March 16, 2021 (3:00 PM)

Hawai'i Health & Harm Reduction Center (HHRC) **supports** HB 282, HD1, which would expand the circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services.

HHRC is member of [Partners in Care O'ahu](#) (PIC), a coalition of more than sixty non-profit homeless providers and allied organizations.

We share PIC's concerns about the limited options faced by youth experiencing homelessness. As PIC notes, there are providers who coordinate with child welfare services to help ensure that these youth do not have to spend the night unsheltered.

HHRC's mission is to reduce harm, promote health, create wellness, and fight stigma in Hawai'i and the Pacific. We work with many individuals who are impacted by poverty, housing instability, and other social determinants of health. Many have behavioral health problems, including those relating to substance use and underlying mental health conditions. Many of our clients and participants have been deeply impacted by trauma, including histories of physical, sexual, and psychological abuse.

Thank you for the opportunity to testify on this measure.



Randy Perreira
President

HAWAII STATE AFL-CIO

888 Mililani Street, Suite 501 • Honolulu, Hawaii 96813

Telephone: (808) 597-1441
Fax: (808) 593-2149

The Thirty-First Legislature, State of Hawai'i
Hawai'i State Senate
Committee on Human Services

Testimony by
Hawai'i State AFL-CIO
March 16, 2021

H.B. 282 HD1 – RELATING TO MINORS

The Hawai'i State AFL-CIO is a state federation of 74 affiliate local unions and councils with over 68,000 members across both public and private sectors. We appreciate the opportunity to testify in strong support of H.B. 282 HD1.

In Hawai'i, it is not uncommon to have “hanai” or extended family. The sad reality is that not all minors who face homelessness are fortunate enough to be taken in. Reasons for becoming homeless are complex, and homeless minors face a myriad of challenges that their housed peers are less likely to experience. Minors who become homeless can avoid further harm if they know they can seek refuge at an emergency shelter without parental consent.

Homeless unaccompanied minors need a safe place to go, and H.B. 282 HD1 minimizes harm to minors by allowing a minor's consent to be sufficient to receive no cost emergency shelter and related services.

We appreciate your consideration of our testimony and strongly encourage passage of H.B. 282 HD1.

Respectfully submitted,

Randy Perreira
President



CATHOLIC CHARITIES HAWAII

TESTIMONY IN SUPPORT OF HB 282, HD1, with Amendments: RELATNG TO MINORS

TO: Senate Committee on Human Services
FROM: Rob Van Tassell, President and CEO, Catholic Charities Hawai'i
Hearing: **Tuesday, March 16, 2021; 3:00 pm; via videoconference**

Chair San Buenaventura, Vice Chair Ihara, and Members, Committee on Human Services:

Thank you for the opportunity to provide testimony to support the intent of HB 282, HD1, which expands the circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services. I am Rob Van Tassell, with Catholic Charities Hawai'i.

Catholic Charities Hawai'i (CCH) is a tax exempt, non-profit agency that has been providing social services in Hawai'i for over 70 years. CCH has programs serving elders, children, families, homeless, and immigrants. Our mission is to provide services and advocacy for the most vulnerable in Hawai'i.

Catholic Charities Hawai'i supports the intent of this bill. We need to find solutions to safely serve minors who are living on the streets. The *2018 Street Youth Survey* paints a grim picture of the vulnerability of minors living on the streets of Oahu. The average when they became homeless was just 14 years old. Almost 60% were homeless for a year or more. These unaccompanied minors faced high rates of violence, sexual assault and sexual exploitation. These minors live a dangerous existence where 58% have tried to kill themselves while others were forced to perform "survival sex".

Catholic Charities Hawai'i supports the amendments suggested by youth advocates and the Governor's Coordinator on Homelessness, including: Change the definition of "provider" in section 346-17.6(h), HRS to expand the definition to include providers that are not Child Caring Institutions, provided that the provider:

1. Conducts background checks on its staff.
2. Maintains separate sleeping areas for unrelated adults and children.
3. Serves no more than five minor children a day.
4. Keeps a current list of all minor children admitted.
5. Coordinates with CWS to provide shelter or other services for the minor child.

We appreciate the intent of this bill and your focus on minors living on the streets who are at high risk for abuse, physical attacks, exploitation and mental illness. The two year timeframe would give DHS and youth service providers time to evaluate and to make sure this is effective, or propose other measures to meet this urgent need for these homeless youth.

Please contact our Legislative Liaison, Betty Lou Larson at (808) 373-0356 or bettylou.larson@catholiccharitieshawaii.org if you have any questions.



CLARENCE T. C. CHING CAMPUS • 1822 Ke'eaumoku Street, Honolulu, HI 96822
Phone (808) 373-0356 • bettylou.larson@CatholicCharitiesHawaii.org



LATE

HB-282-HD-1

Submitted on: 3/16/2021 9:26:07 AM
Testimony for HMS on 3/16/2021 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Kaikea K. Blakemore	Testifying for Neighborhood Place of Puna	Support	No

Comments:

HB282 - relating to minors

Position: Support with amendments

Purpose: The purpose of the bill is to allow a minor to consent to no cost emergency shelter and related services where the provider is also coordinating with CWS and DHS.

We support this bill with appropriate amendments to ensure children at risk of abuse and neglect are not subjected to additional abuse or neglect due to the circumstances of their guardianship. In many cases children who are runaways may be fleeing domestic violence, neglect or more rarely trafficking. According to recent reports on Sex Trafficking in Hawaii conducted by Arizona University, Big Island and O’ahu specifically have higher instances of child trafficking, and in a large share of child trafficking cases family members had been involved in the trafficking of children in their care. Children on Big Island and children in rural or economically disadvantaged areas are also more likely to experience homelessness and/or child abuse and neglect. Providing additional options for children experiencing abuse and neglect to receive help is important for community safety. The bill may also serve to protect neglected and/or abused children identifying as LGBTQ, who disproportionately experience homelessness due to situations of rejection and discrimination. We support youth experiencing abuse and neglect to accept assistance agencies that have the resources to help them.

We support the intent of this bill with amendments proposed by Scott Morishige, MSW, Governor’s Coordinator on Homelessness:

“

"Provider" means any child placing organization, or child caring institution authorized by the department under section 346-17 to receive or place minor children for care and maintenance and to provide related services, health care, or supplies to these minors [.] , or an organization that is not a child placing organization or child caring institution that:

(1) Conducts criminal history clearances, child abuse and neglect (CA/N) registry checks, background,

employment, and any other checks as may be required by state or federal law on an annual basis for all

employees and volunteers;

(2) Maintains separate sleeping areas for unrelated adults and minor children;

(3) Serves no more than five minor children per day; (4) Keeps a current register of all minors admitted; and (5) Coordinates with the department to provide shelter or other services for a minor child.""

We appreciate the intent of this bill for expansion of supportive services for youth seeking shelter.

Thank you for your review of this testimony

Kaikea K. Blakemore

Community Development Specialist

Neighborhood Place of Puna

HB-282-HD-1

Submitted on: 3/16/2021 2:53:02 PM

Testimony for HMS on 3/16/2021 3:00:00 PM

LATE

Submitted By	Organization	Testifier Position	Present at Hearing
Melody Stone	Testifying for Hawaii Island Safe Net, Hawai'i Island Coalition Against Human Trafficking	Support	No

Comments:

To whom it may concern,

As a mental health practitioner and advocate for survivors in Hawai'i I am strongly supporting HB282. On the big island we have very limited resources for minors who are often in very difficult situations with little or no support or services. These may include youth who run away, are homeless, victims of human trafficking, or kicked out of their home due to DV, substance abuse, physical or sexual abuse. Providing a safe shelter as a interim placement may be the best option for some vulnerable youth. I view a shelter as a safety net for youth who may otherwise become lost in the cracks, resulting in further exploitation of their vulnerabilities. As a resource provider it is essential that we do our best to fill in the gaps to provide appropriate support services especially for our youth. Please support passage of this bill. Thank you!

Respectfully,

Melody Stone, MA ED, Counseling

HB-282-HD-1

Submitted on: 3/13/2021 8:27:47 AM

Testimony for HMS on 3/16/2021 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Lynn Robinson-Onderko	Individual	Support	No

Comments:

Aloha Chair and Committee Members,

Please accept my testimony in strong support for HB282. It is time that our state allow for access to much needed shelter to the hundreds of extremely vulnerable, unaccompanied young people living on our streets. I humbly ask that you move this measure forward.

Respectfully,

Lynn Robinson-Onderko, Ewa Beach

HB-282-HD-1

Submitted on: 3/14/2021 12:41:07 PM

Testimony for HMS on 3/16/2021 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Eileen McKee	Individual	Support	No

Comments:

I support HB 282.

Mahalo for considering my testimony.

Eileen McKee

Kihei

LATE

HB-282-HD-1

Submitted on: 3/16/2021 10:17:16 AM
Testimony for HMS on 3/16/2021 3:00:00 PM

Submitted By	Organization	Testifier Position	Present at Hearing
Ian Ross	Individual	Support	No

Comments:

Unaccompanied homeless youth are among the most vulnerable people in our community. More needs to be done to ensure that homeless youth have access to shelter. I applaud you and your committee for hearing this measure.