

Honolulu, Hawaii

MAR 23 , 2022

RE: S.B. No. 1134
S.D. 2
H.D. 1

Honorable Scott K. Saiki
Speaker, House of Representatives
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Health, Human Services, & Homelessness, to which was referred S.B. No. 1134, S.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO ADULT PROTECTIVE SERVICES,"

begs leave to report as follows:

The purpose of this measure is to broaden the Department of Human Services' right of entry into a vulnerable adult's premises without a warrant for an investigation for any type of abuse, regardless of whether there is a physical injury.

Your Committee received testimony in support of this measure from the Department of Human Services and one individual. Your Committee received testimony in opposition to this measure from one individual. Your Committee received comments on this measure from one individual.

Your Committee finds that existing law limits the Department of Human Services' ability to enter a vulnerable adult's premises without a warrant. Specifically, warrantless entries are only limited to instances in which there is probable cause to believe that a vulnerable adult will be physically injured. Your Committee further finds that other types of abuse, such as psychological abuse, sexual abuse, financial exploitation, or caregiver neglect can result in damaging losses to the vulnerable



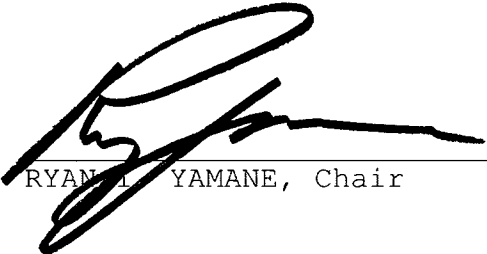
adult's mental health, welfare, and financial stability. Authorizing employees of the Department of Human Services to enter a vulnerable adult's premises without a warrant for additional forms of reported abuse will enable the Department to more rapidly assess the vulnerable adult, interrupt the reported abuse, initiate an investigation, and make referrals to address or reduce the severity and risk of harm resulting from the reported abuse.

Your Committee has amended this measure by:

- (1) Limiting the expansion of the Department of Human Services' warrantless right of entry to investigations of caregiver neglect, self-neglect, or physical abuse;
- (2) Changing the effective date to July 1, 2060, to encourage further discussion; and
- (3) Making technical, nonsubstantive amendments for the purposes of clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Health, Human Services, & Homelessness that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 1134, S.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as S.B. No. 1134, S.D. 2, H.D. 1, and be referred to your Committee on Judiciary & Hawaiian Affairs.

Respectfully submitted on
behalf of the members of the
Committee on Health, Human
Services, & Homelessness,



RYAN YAMANE, Chair



