
A BILL FOR AN ACT

RELATING TO EARLY CHILD CARE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that a strong child care
2 and early education workforce is necessary to support Hawaii's
3 children, working families, and communities. The legislature
4 further finds that the demand for quality child care and early
5 education far exceeds the number of qualified child care and
6 early education professionals currently available in the State.
7 The legislature also finds that efforts to maintain and expand
8 quality, affordable child care and early education programs are
9 hindered by a lack of qualified child care and early education
10 professionals.

11 Accordingly, the purpose of this Act is to:

- 12 (1) Establish a two-year infant and toddler child care
13 worker subsidy pilot program to retain the existing
14 early child care workforce in licensed infant and
15 toddler child care center settings; and
16 (2) Appropriate funds for the pilot program.



1 SECTION 2. (a) The department shall establish and
2 implement a two-year infant and toddler child care worker
3 subsidy pilot program.

4 (b) The department shall develop standards and
5 qualifications for participation in the pilot program by child
6 care workers, which at a minimum shall meet the following
7 requirements:

8 (1) The pilot program shall be available to all lead
9 caregivers, carepartners, and child care aides in infant
10 and toddler child care centers licensed by the
11 department;

12 (2) Participants shall not be employed by the department
13 of education, public charter schools, or federally
14 funded Early Head Start programs; and

15 (3) Participants shall be limited to child care providers
16 working in licensed infant and toddler child care
17 centers only.

18 (c) The department shall establish best practices to bring
19 all participants' pay to \$16.00 per hour at a minimum.

20 (d) Requests for subsidies pursuant to the pilot program
21 shall be submitted to the department in accordance with



1 administrative rules adopted by the department to administer the
2 pilot program. Each request shall at a minimum state:

3 (1) The name of the child care provider requesting the
4 subsidy;

5 (2) The subsidy amount being requested; and

6 (3) The age range of the children the child care provider
7 serves.

8 (e) Each applicant for a subsidy pursuant to the pilot
9 program shall submit proof that the applicant:

10 (1) Has United States citizenship or permanent United
11 States resident alien status and is a resident of the
12 State at the time of application;

13 (2) Is currently licensed or registered as a child care
14 provider, or is an exempt provider approved by the
15 department;

16 (3) Provides infant and toddler care at the time of
17 application;

18 (4) Complies with all other federal, state, or county
19 statutes, rules, or ordinances necessary to conduct
20 the activities or provide the services for which a
21 subsidy is awarded;



- 1 (5) Complies with all applicable federal and state laws
2 prohibiting discrimination against a person on the
3 basis of race, color, national origin, religion,
4 creed, sex, age, sexual orientation, or disability;
- 5 (6) Agrees not to use state funds for entertainment or
6 lobbying activities;
- 7 (7) Allows the department, legislative committees and
8 their staff, and the auditor full access to the
9 applicant's records, reports, files, and other related
10 documents and information for the purposes of
11 monitoring, measuring the effectiveness of, and
12 ensuring the proper expenditure of the subsidy;
- 13 (8) Is employed by an infant and toddler child care
14 facility that is not part of, owned or operated by, or
15 owned and operated as a private educational
16 institution;
- 17 (9) Satisfies any other standards that may be required by
18 the source of funding; and
- 19 (10) Meets all other standards prescribed in rules adopted
20 by the department to implement the pilot program.



1 (f) Requests for a subsidy pursuant to the pilot program
2 shall be submitted to the department on an application form
3 provided by the department and shall at a minimum contain the
4 information required by subsection (e). The department shall
5 review each request to determine whether the applicant is
6 eligible to receive a subsidy and shall make a final decision on
7 each request. The department shall inform each subsidy
8 applicant of the disposition of the applicant's request. The
9 department shall adopt rules to establish an appeals process for
10 any denial of a request.

11 (g) The department shall not release the public funds
12 approved for a subsidy under this Act unless a contract is
13 entered into between the department and the subsidy recipient.
14 The department shall develop and determine, in consultation with
15 and subject to review and approval of the department of the
16 attorney general, the specific contract form to be used.

17 (h) Appropriations for subsidies made under this Act shall
18 be subject to the allotment system generally applicable to all
19 appropriations made by the legislature.

20 (i) Each department subsidy contract executed pursuant to
21 this Act shall be monitored by the department to ensure



1 compliance with this Act and shall be evaluated annually to
2 determine whether the subsidy attained the intended results in
3 the manner contemplated.

4 (j) Any subsidy recipient who withholds or omits any
5 material fact or deliberately misrepresents facts to the
6 department shall be in violation of this Act and, in addition to
7 other penalties provided by law, any recipient found to have
8 violated this Act or the terms of any contract executed pursuant
9 to this Act shall be prohibited from applying for any department
10 subsidies for a period of five years.

11 (k) The department may convene and consult community
12 members to establish best practices, policies, or procedures,
13 including but not limited to the development of a salary
14 schedule, educational requirements, and other matters that would
15 assist in the implementation of the infant and toddler child
16 care worker subsidy pilot program.

17 (l) The department shall adopt rules without regard to
18 chapter 91, Hawaii Revised Statutes, to administer the pilot
19 program.

20 (m) The pilot program shall cease to exist on July 1,
21 2025.



1 (n) For the purposes of this Act:

2 "Department" means the department of human services.

3 "Pilot program" means the infant and toddler child care
4 worker subsidy pilot program established pursuant to subsection
5 (a).

6 "Private educational institution" means a nonpublic entity
7 that provides:

8 (1) Educational services for any grades from kindergarten
9 through grade twelve;

10 (2) Post-secondary education; or

11 (3) Pre-kindergarten level services that are provided by
12 an entity that holds itself out to the public as a
13 school or educational institution, or that are
14 identified by the entity as educational services
15 rather than solely as child care services.

16 "Recipient" means a child care provider receiving a subsidy
17 pursuant to the pilot program.

18 "Subsidy" means an award of state funds to a specified
19 recipient to support the activities of the recipient and permit
20 the community to benefit from those activities.



1 SECTION 3. (a) The department of human services shall
 2 submit interim reports on the development and implementation of
 3 the infant and toddler child care worker subsidy pilot program,
 4 including impacts to infant and toddler child care center
 5 operators and staff, and any proposed legislation, to the
 6 legislature no later than twenty days prior to the convening of
 7 the regular sessions of 2024 and 2025.

8 (b) The department of human services shall submit a final
 9 report on the infant and toddler child care worker subsidy pilot
 10 program, including impacts to infant and toddler child care
 11 center operators and staff, and any proposed legislation, to the
 12 legislature no later than twenty days prior to the convening of
 13 the regular session of 2026.

14 SECTION 4. There is appropriated out of the general
 15 revenues of the State of Hawaii the sum of \$ or so
 16 much thereof as may be necessary for fiscal year 2023-2024 and
 17 the same sum or so much thereof as may be necessary for fiscal
 18 year 2024-2025 for the infant and toddler child care worker
 19 subsidy pilot program established by section 2 of this Act.

20 The sums appropriated shall be expended by the department
 21 of human services for the purposes of this Act.



1 SECTION 5. This Act shall take effect on December 31,
2 2023.



Report Title:

DHS; Infant and Toddler Child Care Worker Subsidy Pilot Program;
Infant and Toddlers; Appropriation

Description:

Requires the Department of Human Services to establish and implement a two-year Infant and Toddler Child Care Worker Subsidy Pilot Program to retain the existing early child care workforce in licensed infant and toddler child care center settings. Appropriates funds for the pilot program. Requires reports to the Legislature. Sunsets 7/1/2025. Effective 12/31/2023. (SD1)

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