

STAND. COM. REP. NO.

3193

Honolulu, Hawaii

MAR 21 2024

RE: H.B. No. 2426  
H.D. 2  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-Second State Legislature  
Regular Session of 2024  
State of Hawaii

Sir:

Your Committee on Health and Human Services, to which was referred H.B. No. 2426, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO RELATIVE RESOURCE CAREGIVERS,"

begs leave to report as follows:

The purpose and intent of this measure is to clarify when a relative seeking to be a resource caregiver for a child is entitled to an administrative appeal for denial of a foster home license.

Your Committee received testimony in support of this measure from the Department of Human Services and Department of the Attorney General.

Your Committee received comments on this measure from the Hawaii Coalition for Child Protective Reform and one individual.

Your Committee finds that authority given to the Department of Human Services to determine whether an individual is eligible to become a resource family to provide foster placement for a child is distinct and separate from the exclusive jurisdiction given to family courts to determine where to actually place the child. Your Committee also finds that when a child's relative applies to become the child's resource family, if the application is denied by the Department of Human Services, the relative's



ability to contest the denial through an administrative appeals process under existing law is unclear as to when the process can be utilized. Therefore, this measure clarifies that an applicant whose application is denied may utilize the administrative appeals process to contest the decision if the denial was based on the applicant's failure to meet standards set forth by the Department of Human Services in its rules, and if the basis of the denial is that the child was not placed with the applicant, the applicant's recourse is to seek judicial review by the family court.

Your Committee has amended this measure by:

- (1) Making it effective upon its approval; and
- (2) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Health and Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2426, H.D. 2, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 2426, H.D. 2, S.D. 1, and be referred to your Committee on Commerce and Consumer Protection.

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



JOY A. SAN BUENAVENTURA, Chair



The Senate  
 Thirty-Second Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Health and Human Services**  
**HHS**

Bill / Resolution No.:* <b>HB2426 HD2</b>	Committee Referral: <b>HHS, CPN</b>	Date: <b>03/15/24</b>
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The Committee is reconsidering its previous decision on this measure.  
 If so, then the previous decision was to: \_\_\_\_\_

The Recommendation is:

Pass, unamended 2312    
  Pass, with amendments 2311    
 Hold 2310    
 Recommit 2313

Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
AQUINO, Henry J.C. (VC)	✓			
KEOHOKALOLE, Jarrett	✓			
SHIMABUKURO, Maile S.L.	✓			
AWA, Brenton				✓
<b>TOTAL</b>	<b>4</b>			<b>1</b>

Recommendation:  Adopted      Not Adopted

Chair's or Designee's Signature: 

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**\*Only one measure per Record of Votes**