

STAND. COM. REP. NO. 3656

Honolulu, Hawaii

APR 05 2024

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

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

Sir:

Your Committee on Commerce and Consumer Protection, to which was referred H.B. No. 2426, H.D. 2, S.D. 1, 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 the Department of Human Services' 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 testimony in opposition to this measure from one individual.

Your Committee finds that under existing law, when a relative is denied a license to be a child's resource caregiver, the Department of Human Services is required to provide the specific reasons for the denial and an explanation of the procedures for an administrative appeal. Your Committee finds, however, that existing law is not clear as to when the applicant may actually utilize the administrative appeals process. Therefore, this measure clarifies that an applicant may appeal the denial of a

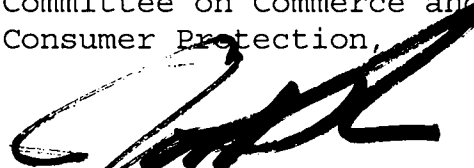


license using the administrative appeals process if the reason for the denial is the applicant's failure to meet the licensing standards adopted by the Department of Human Services, and if the denial is based on the fact that the child was not actually placed with the applicant, the applicant's recourse is to seek judicial review by the family court that has exclusive jurisdiction over placement determinations.

Your Committee has amended this measure by 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 Commerce and Consumer Protection that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 2426, H.D. 2, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 2426, H.D. 2, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Commerce and
Consumer Protection,



JARRETT KEOHOKALOLE, Chair



