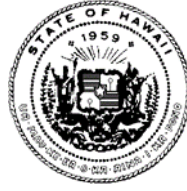


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April 5, 2023

TO: The Honorable Representative Kyle T. Yamashita, Chair
House Committee on Finance

FROM: Cathy Betts, Director

SUBJECT: [SB 398 SD1 HD1](#) – RELATING TO THE CHILD WELFARE.

Hearing: April 5, 2023, 1:55 p.m.
Conference Room 308 & Via Videoconference, State Capitol

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the Legislature's continued support of the Department's efforts to prevent and address child abuse and neglect in Hawaii. DHS **supports** the bill, provides amounts for the proposed appropriations, comments that similar amounts were included in the Department's budget requests, and notes that an appropriation for paragraph (2)* is included in HB 300 HD1. In addition, an appropriation for paragraph (5)* is included in SB 295, with funds going to the Office of Wellness & Resilience.

PURPOSE: This bill requires the Department of Human Services to collect and analyze data to determine the impact of expanding post-permanency services to families receiving benefits from the adoption assistance program and report to the Legislature. Appropriates funds. Effective 12/31/2050. (HD1)

The SD1 amended the measure by:

- (1) Deleting language that would have expanded the investigative powers of the Department of Human Services to include review and investigation of families that

- receive benefits from the State's adoption assistance program and against whom a post-adoption complaint has been made;
- (2) Deleting language that would have established the Malama Ohana Working Group in the Department of Human Services;
 - (3) Inserting an effective date of December 31, 2050, to encourage further discussion;
 - (4) Amending section 1 to reflect its amended purpose; and
 - (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

The HD1 amended the measure with additional technical amendments. The Committee on Human Services also noted in STAND. COM. REP. NO. 1404, "[y]our Committee respectfully requests your Committee on Finance, should it deliberate on this measure, to consider an appropriation amount of \$8,000,000."

Section 2 directs DHS to collect and analyze data to determine the impact of expanding post-permanency services to families receiving adoption assistance and to provide a report to the Legislature. DHS offers post-permanency support services to all families statewide who adopt children from Hawaii's foster care system. CWS will work with families, youth, advocates, providers, and communities to see how to expand post-permanency services or activities to encourage more participation. Notably, post-permanency services are voluntary, and their status as voluntary is essential to respect the rights of the adoptive family.

Once an adoption is finalized, the rights of the adoptive parents are the same as those of all other legal parents; that is, Child Welfare Services (CWS) cannot require adoptive parents to participate in post-permanency services. CWS only has the statutory authority to mandate services if there are concerns about child abuse and neglect per sections 350-1, 350-2, and Chapter 587A, Hawaii Revised Statutes.

Section 3 makes appropriations for various services that support efforts to improve the child welfare system. Notably, DHS can seek federal reimbursement for a percentage of certain expenditures of general funds. DHS suggests the amounts discussed last session in [HB2424](#) for \$8,000,000 for each fiscal year of the biennium,

- \$8,000,000 or so much thereof for fiscal year 2023-2024 and the same sum or so much thereof as may be necessary for fiscal year 2024-2025 for the procurement of contracted services to provide additional support, resources, and monitoring of families receiving benefits from the State's adoption assistance program and permanency assistance program, to assist with family strengthening and the

maintenance of a safe home environment for adopted children. The sums shall be expended by the department of human services for the purpose of this Act; provided that:

- (1) \$1,000,000 shall be expended for the development and maintenance of necessary information technology systems, including the establishment of two full-time equivalents (2.0 FTE) positions;
- (2)* \$1,200,000 shall be expended to increase compensation to fill vacancies and retain employees in existing child welfare services branch investigator, case manager, and social worker positions; provided that any increase in compensation shall be subject to collective bargaining with the objective of expeditiously filling all vacancies;¹
- (3) \$800,000 shall be expended for the Department of Human Services to contract with a third party for enhanced permanency support services, including additional training for resource caregivers, wellness visits within a year of adoption or guardianship of children formerly in foster care, respite care, and enhanced supportive services to assist with family strengthening and maintenance of a safe home environment for adopted children; and
- (4) \$100,000 shall be expended for the establishment of one full-time equivalent (1.0 FTE) planner or project specialist position to administer and monitor additional service contracts and assist with additional service coordination, data collection, and analysis of the new program; and
- (5)* \$250,000 shall be expended for the Malama Ohana working group.

*For the committee's information, an appropriation for paragraph (2) is included in HB 300 HD1, and an appropriation for paragraph (5) is included in SB 295.

Thank you for the opportunity to provide comments on this measure.

¹ FIN identified this sum as a highlight in HB300 HD1.