
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 of human services shall
2 establish and implement a two-year infant and toddler child care
3 worker 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, caregivers, and child care aides in infant
10 and toddler centers licensed by the department;

11 (2) Participants shall not be employed by the department
12 of education, public charter schools, or federally
13 funded early head start programs; and

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

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

20 (d) Requests for subsidies shall be submitted to the
21 department in accordance with administrative rules adopted by



1 the department to administer the subsidy program. Each request
2 shall at a minimum state:

- 3 (1) The name of the child care provider requesting a
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 shall provide proof that
9 the applicant:

- 10 (1) Has United State 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 a child care facility that is not part
14 of, owned or operated by, or owned and operated as a
15 private educational institution;
- 16 (9) Satisfies any other standards that may be required by
17 the source of funding; and
- 18 (10) Meets all other standards prescribed in rules adopted
19 by the department to implement the subsidy.
- 20 (f) Every request for a subsidy shall be submitted to the
21 department on an application form provided by the department and



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

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

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

17 (i) Every department subsidy contract executed pursuant to
18 this Act shall be monitored by the department to ensure
19 compliance with this Act, and shall be evaluated annually to
20 determine whether the subsidy attained the intended results in
21 the manner contemplated.



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

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

15 (l) The department shall adopt rules without regard to
16 chapter 91, Hawaii Revised Statutes, to administer the infant
17 and toddler child care worker subsidy pilot program.

18 (m) For the purposes of this Act:

19 "Department" means the department of human services.

20 "Private educational institution" means a non-public entity
21 that provides:



- 1 (1) Educational services for any grades from kindergarten
2 through grade twelve;
3 (2) Post-secondary education; or
4 (3) Pre-kindergarten level services;
5 that are provided by an entity that holds itself out to the
6 public as a school or educational institution, or that are
7 identified by the entity as educational services rather than
8 solely as child care services.

9 "Recipient" means a child care provider receiving a
10 subsidy.

11 "Subsidy" means an award of state funds to a specified
12 recipient to support the activities of the recipient and permit
13 the community to benefit from those activities.

14 (n) The pilot program shall cease to exist on
15 July 1, 2025.

16 SECTION 3. (a) The department of human services shall
17 submit interim reports on the infant and toddler child care
18 worker subsidy pilot program's development and implementation,
19 including impacts to infant and toddler child care center
20 operators and staff, and any proposed legislation, to the



1 legislature no later than twenty days prior to the convening of
2 the regular sessions of 2024 and 2025.

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

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

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

17 SECTION 5. This Act shall take effect on June 30, 3000.



H.B. NO. 547
H.D. 1

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 assist in retaining the existing child care workforce. Appropriates funds for the pilot program. Sunsets 7/1/2025. Effective 6/30/3000. (HD1)

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