



OFFICE OF THE ASSISTANT SECRETARY OF DEFENSE

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MANPOWER AND
RESERVE AFFAIRS

January 31, 2024

The Honorable Senator Glenn Wakai
Chair, Hawaii Senate Committee on Public Safety and Intergovernmental and Military Affairs

The Honorable Senator San Buenaventura
Chair, Hawaii Senate Committee on Health and Human Services

RE: Letter of Support – SB 2880 (Relating to Child Care)

Dear Chair Wakai, Chair San Buenaventura, and Members of the Committees:

On behalf of United States Department of Defense (DoD) and military families stationed in Hawaii, I am writing in support of the policy changes expressed in Senate Bill (SB) 2880, a measure to expand the existing state exemption for DoD-certified providers to those operating off federal property.

Taking care of our people remains the top priority of DoD and is at the center of our National Defense Strategy.¹ The Department established the Family Child Care program to expand child care availability and to assist in meeting the diverse needs of military families. Family Child Care providers offer military families reliable and personalized care on and off installations.

DoD Family Child Care providers are certified via the military departments and are the largest contributor to the military services' ability to deliver 24-hour and emergency child care needs.² Additionally, some Family Child Care providers offer specialized care for unique mission-related needs in homes both on and off the installation.³

Once certified, Family Child Care providers must complete annual training and a competency-based comprehensive professional development program similar to installation child development program personnel.⁴ When moving with their service member, Family Child Care providers do not have to complete additional training or another background check when they arrive at their new installation, unless their certification is due for renewal.⁵ Local citizens are also eligible to apply for certification as a DoD Family Child Care provider.

The Family Child Care program is designed to ensure the highest standards of quality and safety are met in family child care homes. The certification process is widely recognized as one of the most stringent in the country.⁶ Standards set by the Department and the military services ensure strict oversight of service

¹ Terri Moon Cronk, "Austin Outlines His Top Three Priorities on Defense, People, Teamwork," *United States Department of Defense*, March 5, 2021, <https://www.defense.gov/News/News-Stories/Article/Article/2526532/austin-outlines-his-top-three-priorities-on-defense-people-teamwork/>

² Report to the Committee on Armed Services of the House of Representatives on In-Home Child Care Licensures, *United States Department of Defense*, 2022

³ In both the Air Force and the Army, these programs are designed to provide overnight, weekend, and holiday child care for those members assigned to work for more than 24 hours in the field.

⁴ DODI 6060.02, "Child Development Programs (CDPs)," *United States Department of Defense*, September 20, 2020.

⁵ "Licensure Exemptions for Military Family Child Care Providers," *United States Department of Defense*, 2023, <https://statepolicy.militaryonesource.mil/key-issue/licensure-exemptions-for-military-family-child-care-providers>

⁶ GAO-23-105518, "Military Child Care: DOD Efforts to Provide Affordable, Quality Care for Families," *Government Accountability Office*, February 2, 2023, <https://www.gao.gov/products/gao-23-105518>.

providers, to include background checks, monthly inspections, and unannounced visits.⁷ Monitoring of Family Child Care providers is conducted on a regular basis, during all hours of operation, and providers are required to maintain information as it relates to their background checks, inspections, insurance, training records, and visitation logs.⁸

By exempting DoD-certified Family Child Care providers from state licensure and registration that is duplicative of the certification they receive from the military services, Hawaii has the opportunity to enhance the quality of life and economic security of both the providers and military families seeking qualified child care options.⁹ If permitted by their service's regulations, under SB 2880, this approach would allow them to work immediately after being certified, inspected and approved by the new installation commander, to provide care to the children of military families, pursuant to Department of Defense Instruction 6060.02.¹⁰

According to a recent report, the Department currently needs 1,433 Family Child Care providers to meet the demands of military communities.¹¹ But in fiscal year 2021, the Department reported having only 727 available providers, an almost 50% deficit, with 2,700 children receiving care in family child care homes.¹²

In closing, the Department is grateful for the tremendous support that Hawaii has previously made and is currently making to support our military members and their families. We appreciate the opportunity to support the policy reflected in SB 2880 and would especially like to thank the bills sponsors for spearheading this effort.

Sincerely,



Kelli May Douglas
Pacific and Southwest Regional Liaison
Defense-State Liaison Office
DoD, Military Community & Family Policy
571-265-0075

⁷ See *supra* at 6.

⁸ Family Child Care Providers are also required complete 40 hours of training and orientation, which occurs prior to working with children. Stated orientation, upon completion, is then documented for each provider, and includes: developmentally appropriate activities and environmental observations; age-appropriate guidance and discipline techniques; applicable regulations, policies, and procedures; child safety and fire prevention; child abuse prevention, identification, and reporting; nutrition; health and sanitation; and parent and family relations.

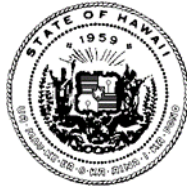
⁹ The military services' Family Child Care programs are intended to support the mission requirements of the installation and are for use only by active-duty military personnel, DoD civilians, reserve component military personnel on active duty or inactive duty training status, combat related wounded warriors, surviving spouses of military members who died from a combat related incident, those acting in loco parentis for the dependent child of an otherwise eligible member, eligible employees of DoD contractors, and others as authorized on a space available basis.

¹⁰ If a Family Child Care provider wanted to expand their scope of business beyond military dependents and outside the scope of the Department of Defense Instruction, the provider would subsequently obtain a state license.

¹¹ "Report to the Committee on Armed Services of the House of Representatives on In-Home Child Care Licensures," *United States Department of Defense*, 2022

¹² "Office of Military Family Readiness Policy, 2021 Child and Youth Program Annual Summary of Operations Report," *United States Department of Defense*.

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February 1, 2024

TO: The Honorable Senator Joy A. San Buenaventura, Chair
Senate Committee on Health & Human Services

The Honorable Senator Glenn Wakai, Chair
Senate Committee on Public Safety & Intergovernmental and Military Affairs

FROM: Cathy Betts, Director

SUBJECT: **SB 2880 – RELATING TO CHILD CARE.**

Hearing: Friday, February 2, 2024, 3:00 p.m.
Conference Room 225, State Capitol & Video Conference

DEPARTMENT'S POSITION: The Department of Human Services (DHS) appreciates the intent of the measure, provides comments, and requests clarification.

PURPOSE: This bill expands the existing state exemption for United States Department of Defense (DOD) certified providers to those operating off federal property.

The Department of Human Services (DHS) appreciates that military families have an additional resource in accessing child care through family child care providers who become certified through the military process, particularly since there has been a decrease in the number of DHS-licensed and registered family child care homes and child care centers statewide since before the pandemic and continuing through the pandemic.

DHS supports the proposed expansion provided that the military certification for child care providers meets the same requirements as required by military-certified providers who provide care on federal property and meets the County's permitting requirements to provide child care when care is conducted on non-federal property. DOD will need to include

monitoring and enforcement components to ensure the health and safety of children in care. Additionally, with the proposed expansion, the DOD will maintain the responsibility for regulating the certification and the monitoring, enforcing, and revoking of the certification for non-compliance.

However, DHS requests clarification if the bill proponents intend that these DOD-certified child care providers, not on federal property, may also serve families who receive child care subsidies through DHS. If the DOD-certified child care providers intend to serve children of families who rely upon DHS child care subsidies, the DOD-certified child care provider must meet DHS requirements under Hawaii Administrative Rules, Chapter 17-798.3 Child Care Payments.

If this is a goal of this bill, DHS requests an extended effective date to give DHS and DOD time to develop a memorandum of understanding so that both DHS and DOD understand how military certification and the requirements for a family to receive DHS subsidies may interact or impact respective oversight responsibilities.

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



**TESTIMONY IN SUPPORT OF SB 2880
RELATING TO CHILD CARE**

Senate Committee on Health and Human Services
The Honorable Joy A. San Buenaventura, Chair
The Honorable Henry J.C. Aquino, Vice Chair

Senate Committee on Public Safety and Intergovernmental and Military Affairs
The Honorable Glenn Wakai, Chair
The Honorable Brandon J.C. Elefante, Vice Chair

February, February 2, 2024 at 3:00 PM
Conference Room 225 & Videoconference
415 South Beretania Street

Chairs San Buenaventura and Wakai, Vice Chairs Aquino and Elefante, and Members of the Committees:

The Hawaii Military Affairs Council ("MAC") wishes to offer our support of SB 2880 which expands the existing state exemption for United States Department of Defense-certified providers to those operating off federal property.

The Hawaii Military Affairs Council (MAC) was established in 1985 when the Chamber was appointed by the State to serve as the liaison to the military. The MAC advocates on behalf of Hawaii's military, and is comprised of business leaders, academic institutions, State and County officials, members of the CODEL, community leaders, labor unions and organizations and retired U.S. flag and general officers. The MAC works to support Hawaii's location as a strategic U.S. headquarters in the Indo-Asia-Pacific region which is crucial for U.S. national and homeland security.

The MAC and the U.S. Department of Defense recognize the value of military child care certification – a game-changer. Providers already certified through the U.S. Department of Defense have demonstrated their commitment to quality child care. By exempting these providers from the lengthy registration process, states can expedite the availability of qualified child care options, thereby enhancing the quality of life and economic security for both providers and families.



However, the current exemption applies only to providers operating on federal property. This limitation restricts the number of certified providers available to families in our communities in need. Expanding this exemption to include providers operating off federal property would significantly increase access to quality child care.

SB 2880 is not just about improving the efficiency of the registration process. It's about recognizing the value of military child care certification and leveraging it to improve the quality of life and economic security for both providers and families on and off federal property. It's about ensuring that families have access to qualified child care options when they need them most.

This is a critical step towards addressing the pressing issue of child care for both civilian and military families and ask for your favorable passage.

Thank you for the opportunity to testify in support.