

ACT 302

S.B. NO. 3042

A Bill for an Act Relating to Child Protective Services.

Be It Enacted by the Legislature of the State of Hawaii:

SECTION 1. The legislature finds that reported incidents of child abuse have increased at a rate that will soon require significant resource re-allocation or meaningful system reform. Nearly twenty states have been sued in recent years to correct what one federal judge called “outrageous deficiencies” in child protective services. In response to efforts to improve the Hawaii system by many committed public employees, businesses, community groups, foundations and private citizens, in addition to executive departments and the judiciary, the legislature adopted senate concurrent resolution 89 H.D. 1 during the 1994 regular session which established the child welfare services reform task force for the purpose of developing a blueprint for reform in child protective services. Comprised of public and private sector representatives and funded by local and national foundations, the task force identified guidelines to provide child welfare services in a coordinated and comprehensive manner. The legislature finds that there is an urgent need to provide a responsible approach to reviewing and reforming the provision of child protective services.

Accordingly, the purpose of this Act is to establish a three-year pilot project for child protective and diversion services to be conducted as a public-private partnership. The legislature finds that such a partnership is essential to maintain an effective level of child protective services. Specifically, this Act establishes a multi-agency pilot project for child protective and diversion services within the department of human services which shall be assisted by the child protective services reform coordinating committee.

SECTION 2. For purposes of this Act:

“Committee” means the child protective services reform coordinating committee.

“Pilot project” means the child protective and diversion services pilot project.

SECTION 3. There is established a child protective and diversion services pilot project within the department of human services that shall be assisted by the department of education, the department of health, the office of youth services, and the judiciary. The committee shall provide assistance to the pilot project as requested by the director of human services. The pilot project shall be responsible for the development and training of public and private sector workers in the area of child protective and diversion services which shall include the establishment or operation of:

- (1) A statewide central intake service available by telephone that shall provide child welfare information and services;
- (2) Two sites, to be called “neighborhood places”, one urban and one rural, for service delivery by various public and private child welfare agencies;
- (3) Systems-change training for public and private sector child protective and diversion service workers; and
- (4) An evaluation component that compares the outcomes and processes of the pilot project with the existing provision of child protective services.

The department of human services, department of education, department of health, office of youth services and the judiciary, by means of a memorandum of agreement or other appropriate action, may transfer resources to the pilot project for the purposes and duration of this Act; provided the resources shall include personnel and equipment. The pilot project may work with tax exempt organizations certified under section 501(c)(3) of the Internal Revenue Code of 1986, as amended, to implement the purposes of this Act.

SECTION 4. There is established a child protective services reform coordinating committee which shall be attached to the department of human services for administrative purposes only. It shall be the duty of the committee to make recommendations to the public agencies participating in the pilot project regarding its implementation, which shall include:

- (1) Development of requests for proposals from the community;
- (2) Site selection of two neighborhood places, and the development of requests for proposals from the community;
- (3) Identification of pilot project goals, including the identification of a schedule and evaluation process;
- (4) Development and implementation of systems-change training programs; and
- (5) Coordination of financial resources, excluding the use of state funds, that may be necessary to effectuate the pilot project.

The committee, with the consent of the director of human services, may seek grants, receive gifts, funds, or donations of services-in-kind to effectuate the purposes of this Act. The child protective services reform coordinating committee shall consist of thirteen members appointed by the governor. The members shall include:

- (1) The director of human services, or a designated representative;
- (2) The director of health, or a designated representative;
- (3) The superintendent of education, or a designated representative;
- (4) The executive director of the office of youth services, or a designated representative;
- (5) One representative from the family court, who shall be selected from a list of nominees submitted by the chief justice of the supreme court;
- (6) One representative from the blueprint for change task force created by Senate Concurrent Resolution No. 89, H.D. 1, as adopted by the legislature during the 1994 regular session;
- (7) One representative from the Alliance for Health and Human Services;
- (8) One representative from a community service organization with experience with child protective or child welfare services;
- (9) Three representatives at-large; of which one person shall be employed at the department of human services child protective services unit; and one person shall be from each neighborhood place once the sites have been selected;
- (10) One member of the house of representatives, who shall be selected from a list of nominees submitted by the speaker of the house; and
- (11) One member of the senate, who shall be selected from a list of nominees submitted by the president of the senate.

The governor shall appoint the director of human services as the chairperson of the committee. The members of the committee shall serve without compensation and shall be exempt from the requirements of section 26-34, Hawaii Revised Statutes. The committee may adopt rules necessary for the purposes of this Act; provided that such rules shall be exempt from the public notice and public hearing requirements of chapter 91, Hawaii Revised Statutes.

SECTION 5. The director of human services may appoint a project coordinator and additional staff as necessary to carry out the functions of the pilot project and the committee. All staff shall be appointed without regard to chapters 76 and 77, Hawaii Revised Statutes.

SECTION 6. The child protective services reform coordinating committee shall:

- (1) Submit progress reports regarding the pilot project to the legislature on a semi-annual basis; provided that copies of the report shall be made available to interested community groups; and
- (2) Submit a progress report regarding the pilot project including legislative recommendations no later than twenty days prior to the convening of the 1997, 1998, and 1999 regular sessions.

SECTION 7. This Act shall take effect on July 1, 1996, and shall be repealed on June 30, 1999.

(Approved July 3, 1996.)