

ACT 5

H.B. NO. 1488

A Bill for an Act Relating to Family Child Care Homes.

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

SECTION 1. Section 346-151, Hawaii Revised Statutes, is amended as follows:

1. By amending the definition of “child care facility” to read:
““Child care facility” means a place maintained by any individual, organization, or agency for the purpose of providing care for [three or more] children with or without charging a fee [during any part of a twenty-four hour day.] at any time. It

includes a family child care home, group child care home, and group child care center.”

2. By amending the definition of “family child care home” to read:

““Family child care home” means a private home at which care [is] may be provided for three to no more than six children[.], who are unrelated to the caregiver by blood, marriage, or adoption, at any given time.”

SECTION 2. Section 346-163, Hawaii Revised Statutes, is amended to read as follows:

“§346-163 Licenses and temporary permits. If satisfied that the applicant meets the minimum standards established pursuant to section 346-162 and subject to the criminal history record checks of section 346-154, the department of human services shall grant the applicant a license for the operation of a group child care home or group child care center, as the case may be. The license shall be valid for [one year]:

(1) One year for new applicants and for those who have been licensed for less than four years; and

(2) Two years for those who have been licensed for four years or more, unless sooner revoked. Where the activities of the applicant fall within the licensing requirements of the department of education and this subpart, a license shall be required from both the department of education and the department of human services.

A temporary permit may be issued for a period of six months at the department of human services’ discretion to any applicant who is temporarily unable to conform to all of the minimum standards. Renewal of the temporary permit shall be left to the department of human services’ discretion; provided that the combined period of the initial and subsequently renewed permits shall not exceed [twelve] twenty-four months. Licenses and permits shall be conspicuously posted on the licensed premises.”

SECTION 3. Section 346-165, Hawaii Revised Statutes, is amended to read as follows:

“§346-165 Visitation and inspection of group child care home, group child care [facility.] center. The department of human services shall visit and inspect each group child care home and group child care center as frequently as it deems necessary for the proper operation, sanitation, and safety of the home or center, as the case may be. The visits and inspections shall be made at least once annually. Every group child care home and group child care center licensed under this subpart shall be open to visitation and inspection by representatives of the department of human services, the department of education, and the department of health, and by designated representatives of the respective county fire departments at all times.”

SECTION 4. Section 346-171, Hawaii Revised Statutes, is amended to read as follows:

“§346-171 Registration for family child care home required. No person shall operate or maintain a family child care home unless registered to do so by the department of human services under this subpart. The registration shall be valid for:

(1) One year for new applicants and for those who have been registered for less than four years; and

(2) Two years for those who have been registered for four years or more.

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unless sooner revoked.”

SECTION 5. Statutory material to be repealed is bracketed. New statutory material is underscored.

SECTION 6. This Act shall take effect upon its approval.

(Approved April 1, 1998.)