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## HOUSE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENT OF HUMAN SERVICES TO STUDY THE IMPACT  
OF THE NEW EXPANDED ADULT PROTECTIVE SERVICES LAW.

1           WHEREAS, adult protective services provides crisis  
2 intervention including investigation and emergency services to  
3 vulnerable adults reported to be abused, neglected, or  
4 financially exploited by others or seriously endangered due to  
5 self-neglect without regard to income; and

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7           WHEREAS, Act 154, Session Laws of Hawaii 2008, was enacted  
8 to better protect vulnerable adults by expanding the adult  
9 protective services statutes contained in Chapter 346, part X,  
10 of the Hawaii Revised Statutes; and

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12           WHEREAS, since July 1, 2009, the Department of Human  
13 Services has been accepting reports on allegations of caregiver  
14 neglect, physical abuse, psychological abuse, self-neglect,  
15 financial exploitation, and sexual abuse pursuant to the  
16 expanded law; and

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18           WHEREAS, the expanded law also requires the Department of  
19 Human Services to investigate a report of abuse on a vulnerable  
20 adult, and make an effort to refer the adult to other resources  
21 so that future reports or actual abuse do not occur if the  
22 Department determines that the criteria for abuse or neglect are  
23 not met; and

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25           WHEREAS, the Department of Human Services has limited  
26 resources and lacks additional staff and funds necessary to  
27 fully implement the expansion of the adult protective services  
28 law; and



1           WHEREAS, the Department of Human Services accesses any  
2 existing public or private resource that might be able to assist  
3 the client, especially since adult protective services payments  
4 cannot exceed 45 days; and

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6           WHEREAS, the adult protective services program report for  
7 fiscal year 2010 reflected a statewide disparity in reports of  
8 investigated cases of abuse compared to confirmed cases of  
9 abuse, with 1,065 reports of abuse compared to only 170  
10 confirmed cases of abuse; and

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12           WHEREAS, the adult protective services program report for  
13 fiscal year 2011 reflected a statewide disparity in reports of  
14 investigated cases of abuse compared to confirmed cases of  
15 abuse, with 1,160 reports of abuse compared to only 99 confirmed  
16 cases of abuse; and

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18           WHEREAS, the adult protective services program report for  
19 fiscal year 2012 reflected a statewide disparity in reports of  
20 investigated cases of abuse compared to confirmed cases of  
21 abuse, with 1,049 reports of abuse compared to only 197  
22 confirmed cases of abuse; and

23  
24           WHEREAS, for fiscal years 2010, 2011, and 2012, there is  
25 insufficient data regarding the following case statuses with  
26 adult protective services:

- 27  
28           (1) The disposition status of cases of abuse allegations  
29 investigated but not confirmed with details per age  
30 bracket;  
31  
32           (2) The disposition status of confirmed adult protective  
33 services cases after the limited 45-day payment  
34 period; and  
35  
36           (3) The status of any subsequent reports, investigations,  
37 or confirmations for adult abuse for cases originally  
38 non-confirmed within the applicable fiscal year; and  
39

40           WHEREAS, the Department of Human Services indicates that it  
41 documents the disposition of a confirmed case, but this  
42 information is kept on a case-by-case basis within the written  
43 record, and therefore, it is not available in report form; now,  
44 therefore,



1 BE IT RESOLVED by the House of Representatives of the  
2 Twenty-seventh Legislature of the State of Hawaii, Regular  
3 Session of 2013, the Senate concurring, that the Department of  
4 Human Services is requested to conduct a study on the expanded  
5 adult protective services law; and  
6

7 BE IT FURTHER RESOLVED that in its study, the Department of  
8 Human Services is requested to:  
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- 10 (1) Identify possible causes for the wide disparity in the  
11 number of investigated adult protective services  
12 reports in fiscal years 2010, 2011, and 2012 compared  
13 to the number of confirmed adult protective services  
14 cases as it relates to the expanded adult protective  
15 services law;  
16
- 17 (2) Identify the disposition status or referral status of  
18 confirmed cases of abuse, as well as abuse reports  
19 investigated but not confirmed, with the disposition  
20 or referral status compiled by age bracket;  
21
- 22 (3) Document the numbers and age bracket of subsequent  
23 adult protective services reports, investigations, or  
24 confirmations for cases originally deemed non-  
25 confirmed within each fiscal year;  
26
- 27 (4) Identify and explain the challenges and any actions  
28 taken regarding:  
29
- 30 (A) Whether public understanding of the new law  
31 results in a large number of reports or  
32 investigations that do not meet set criteria  
33 found within the law;  
34
- 35 (B) Whether the lack of adequate resources within the  
36 Department to confirm and provide intensive  
37 services contributes to problems; and  
38
- 39 (C) Other variables affecting the disparity in  
40 reported cases of abuse compared to confirmed  
41 cases of abuse; and



1 (5) Identify changes to information systems that would  
2 enable the Department to:

3  
4 (A) Capture the disposition of confirmed cases of  
5 abuse as well as abuse reports investigated but  
6 not confirmed, with status compiled by age  
7 bracket; and

8  
9 (B) Increase the capability to track, trend, and  
10 identify gaps in services per specific age  
11 bracket, such as adults under 60 years of age who  
12 do not qualify for services from the Department  
13 of Health's Adult Mental Health Division, the  
14 Case Management Coordination Projects for Frail  
15 and Vulnerable Elderly, Catholic Services for the  
16 Elderly, or other similar providers; and

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18 BE IT FURTHER RESOLVED that the report include at a  
19 minimum:

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21 (1) The Department's findings regarding the wide disparity  
22 of investigated cases of abuse compared to confirmed  
23 cases;

24  
25 (2) The disposition or referral status of confirmed cases  
26 as well as investigated cases per age bracket;

27  
28 (3) Identification of gaps in services per age bracket;

29  
30 (4) Actions taken and timelines used by the Department to  
31 address data collection and reporting; and

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33 (5) Any other findings regarding the implementation of the  
34 expanded adult protective services law; and

35  
36 BE IT FURTHER RESOLVED that the Department of Human  
37 Services is requested to submit a preliminary and a final report  
38 of its findings and recommendations, including any proposed  
39 legislation, to the Legislature no later than 20 days prior to  
40 the convening of the Regular Sessions of 2014 and 2015,  
41 respectively; and



# H.C.R. NO. 118

1 BE IT FURTHER RESOLVED that certified copies of this  
2 Concurrent Resolution be transmitted to the Governor, Director  
3 of Human Services, Administrator of the Social Services  
4 Division of the Department of Human Services, and Administrator  
5 of the Adult and Community Care Services Branch of the Social  
6 Services Division of the Department of Human Services.

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OFFERED BY:





Bill Kafani

Debra A. Salatti



Mel Carroll

MAR 12 2013

