



STATE OF HAWAII  
DEPARTMENT OF HUMAN SERVICES  
P. O. Box 339  
Honolulu, Hawaii 96809-0339

February 23, 2020

TO: The Honorable Senator Karl Rhoads, Chair  
Senate Committee on Judiciary

FROM: Pankaj Bhanot, Director

SUBJECT: **SB 2892 SD1 – RELATING TO CHILD ABUSE**

Hearing: February 24, 2020, 12:00 p.m.  
Conference Room 016, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this administration measure. DHS appreciates the amendment of the Committee on Human Services that inserted the effective date of June 30, 2020. As noted in the committee report, the federal Administration for Children and Families informed the State that failure to comply with the amended section of the Child Abuse Prevention and Treatment Act by June 30, 2020, would result in withholding grant funding.

**PURPOSE:** This bill adds immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations. (SD1)

On January 7, 2019, the federal Victims of Child Abuse Act Reauthorization Act of 2018 (P.L. 115-24), was enacted, further amending the Child Abuse and Prevention Act (CAPTA). The amendment grants immunity from civil and criminal prosecution to people who provide information or assistance to a good faith report of child abuse and/or neglect. This includes medical evaluations and professional consultations.

Hawaii's child abuse and neglect mandated reporting law, section 350, et seq., Hawaii Revised Statutes (HRS), requires amendment to be consistent with this CAPTA requirement. The bill adds language to section 350-3(a), HRS, that will ensure that Hawaii is compliant with CAPTA.

As part of the approval of the State's CAPTA Program Improvement received in November 2019, the federal Administration for Children and Families informed that state that failure to come into compliance with the amended section of CAPTA by June 30, 2020, will result in withholding of FY 2021 CAPTA State Grant funding. As such the effective date of this measure must be on or before June 30, 2020.

Thank you for the opportunity to testify on this bill.