



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

January 30, 2020

TO: The Honorable Russell E. Ruderman, Chair and  
Senate Committee on Human Services

FROM: Pankaj Bhanot, Director

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

Hearing: Friday, January 31, 2020, 8:30 a.m.  
Conference Room 016, State Capitol

**DEPARTMENT'S POSITION:** The Department of Human Services (DHS) supports this administration measure.

**PURPOSE:** The purpose of this bill is to add immunity from civil and criminal liability for individuals who provide information or assistance in child abuse investigations. This measure will bring Hawaii's law into compliance with recent amendments to federal law.

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.