
HOUSE CONCURRENT RESOLUTION

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

1 WHEREAS, the adult protective services program provides
2 crisis intervention, without regard to income, including
3 investigation and emergency services to vulnerable adults who
4 are reported to be abused, neglected, or financially exploited
5 by others or seriously endangered due to self-neglect; and
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7 WHEREAS, the Legislature expanded the adult protective
8 services law, chapter 346, part X, Hawaii Revised Statutes (Act
9 154, Session Laws of Hawaii 2008) to better protect our
10 vulnerable adults; and
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12 WHEREAS, as part of the new, expanded law starting July 1,
13 2009, the Department of Human Services has been accepting
14 reports on abuse that focused on caregiver neglect, physical
15 abuse, psychological abuse, self-neglect, financial
16 exploitation, and sexual abuse; and
17

18 WHEREAS, the Department of Human Services said it will
19 investigate a report of abuse on a vulnerable adult, and if the
20 Department of Human Services determines that the criteria for
21 abuse or neglect are not met, efforts will be made to refer the
22 adult to other resources so that future reports or actual abuse
23 do not occur; and
24

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

29 WHEREAS, the Department of Human Services accesses any
30 existing public or private resource that might be able to assist



1 the client, especially since adult protective services payments
2 cannot exceed forty-five days; and

3
4 WHEREAS, the adult protective services program report for
5 fiscal year 2011 reflected a statewide disparity in reports of
6 investigated cases of abuse (1,160) compared to confirmed cases
7 of abuse (99); and

8
9 WHEREAS, insufficient data is available for fiscal years
10 2010 and 2011 per age bracket regarding:

- 11
12 (1) Disposition status of investigated-but-not-confirmed
13 cases per age bracket;
14
15 (2) Disposition status of confirmed adult protective
16 services cases after the limited forty-five-day
17 payment period; and
18
19 (3) Number of subsequent reports, investigations, or
20 confirmations for adult abuse for cases originally
21 non-confirmed within the applicable fiscal year; and
22

23 WHEREAS, the Department of Human Services said it does
24 document the disposition of a confirmed case, but this
25 information is kept on a case-by-case basis within the written
26 record, therefore, it is not available in report form; now,
27 therefore,
28

29 BE IT RESOLVED by the House of Representatives of the
30 Twenty-sixth Legislature of the State of Hawaii, Regular Session
31 of 2012, the Senate concurring, that the Department of Human
32 Services is requested to conduct a study on the expanded adult
33 protective services law; and
34

35 BE IT FURTHER RESOLVED that the department is requested to
36 include in its study:
37

- 38 (1) Identification of possible causes for the wide
39 disparity in the number of investigated adult
40 protective services reports in fiscal years 2010 and
41 2011 versus number of confirmed adult protective
42 services cases as it relates to the expanded adult
43 protective services law;



- 1 (2) Disposition or referral status of confirmed cases as
2 well as investigated-but-not-confirmed cases by age
3 bracket;
4
- 5 (3) Documentation of numbers and age bracket of subsequent
6 adult protective services reports, investigations, or
7 confirmations for cases originally deemed non-
8 confirmed within each fiscal year;
9
- 10 (4) Documentation of challenges and actions taken
11 regarding:
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 - 13 (A) Possible lack of public understanding of the new
14 law resulting in a large number of reports or
15 investigations that do not meet set criteria
16 found within the law;
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 - 18 (B) Possible lack of adequate resources within the
19 Department of Human Services to confirm and
20 provide intensive services; and
21
 - 22 (C) Other variables that may affect the disparity in
23 numbers; and
24
- 25 (5) Identification and institution of immediate changes or
26 establishment of data fields, or related matter within
27 information systems to:
28
 - 29 (A) Capture the disposition of cases of both
30 confirmed and investigated-but-not-confirmed
31 cases per age bracket; and
32
 - 33 (B) Increase the capability to track; trend, and
34 identify gaps in services per specific age
35 bracket, such as adults under sixty years of age
36 who do not qualify for services from the
37 Department of Health's Adult Mental Health
38 Division or Case Management Coordination
39 Projects, Catholic Services for Elderly, or other
40 similar providers; and



1 BE IT FURTHER RESOLVED that the Director of Human Services
 2 is requested to submit a preliminary and a final report of its
 3 findings and recommendations, including any proposed
 4 legislation, to the Legislature no later than twenty days prior
 5 to the convening of the Regular Sessions of 2013 and 2014,
 6 respectively; and

7
 8 BE IT FURTHER RESOLVED that the reports include at a
 9 minimum:

- 10
 11 (1) Findings regarding the wide disparity of investigated
 12 cases versus confirmed cases;
 13
 14 (2) Disposition or referral status of confirmed cases as
 15 well as investigated cases per age bracket;
 16
 17 (3) Identification of gaps in services per age bracket;
 18
 19 (4) Actions and timelines taken by the Department of Human
 20 Services to address data collection and reporting; and
 21
 22 (5) Any other findings regarding the implementation of the
 23 expanded adult protective services law; and
 24

25 BE IT FURTHER RESOLVED that certified copies of this
 26 Concurrent Resolution be transmitted to the Governor, Director
 27 of Human Services, Administrator of the Social Services Division
 28 of the Department of Human Services, and Administrator of the
 29 Adult and Community Care Services Branch of the Social Services
 30 Division of the Department of Human Services.
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 32
 33

OFFERED BY: _____

The image shows three handwritten signatures in black ink, written over a horizontal line. The top signature is the most prominent and appears to be 'GSE'. Below it are two other signatures, one of which is more cursive and the other is shorter and more stylized.

MAR 14 2012

