

MAR 12 2012

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# SENATE CONCURRENT RESOLUTION

REQUESTING THE DEPARTMENTS OF HUMAN SERVICES AND HEALTH TO  
CONVENE A TASK FORCE TO DETERMINE WHEN AND UNDER WHAT  
CONDITIONS REPORTS OF ALLEGED VULNERABLE ADULT ABUSE,  
ALLEGED CHILD ABUSE, AND CONFIRMED CHILD ABUSE OR NEGLECT  
SHOULD BE EXPUNGED FROM THE DEPARTMENT OF HUMAN SERVICES'  
CENTRAL REGISTRY.

1           WHEREAS, this body finds that it has become problematic for  
2 people to care for their children and grandchildren and to  
3 obtain employment due to suspected allegations or confirmed  
4 cases of abuse; and  
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6           WHEREAS, section 350-2, Hawaii Revised Statutes, currently  
7 only requires the Department of Human Services to expunge its  
8 reports in the central registry of reported child abuse or  
9 neglected cases if:

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11           (1) The Department has found the allegations to be  
12 frivolous or to have been made in bad faith; or  
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14           (2) The petition arising from the report has been  
15 dismissed by order of the family court after an  
16 adjudicatory hearing on the merits pursuant to chapter  
17 587A, Hawaii Revised Statutes; and  
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19           WHEREAS, it remains unclear whether or not maintaining  
20 these unsubstantiated reports of abuse and neglect are warranted  
21 when they affect people's ability to secure employment, earn a  
22 livelihood, or care for family members; and  
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24           WHEREAS, a task force with representation from executive  
25 agencies, the Judiciary, children and adult advocacy groups,  
26 parent and guardian advocacy groups, and other stakeholders will  
27 be in the best position to determine when and under what  
28 conditions records of unsubstantiated abuse and neglect should  
29 be expunged; now, therefore,



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BE IT RESOLVED by the Senate of the Twenty-sixth Legislature of the State of Hawaii, Regular Session of 2012, the House of Representatives concurring, that the Departments of Human Services and Health are requested to establish a task force to review the concerns arising from unsubstantiated and unconfirmed cases of child abuse and neglect, and adult abuse and neglect, as they relate to people seeking employment, and assess the times at which and conditions under which reports of alleged vulnerable adult abuse, alleged child abuse, and confirmed child abuse or neglect should be expunged from the Department of Human Services' central registry; and

BE IT FURTHER RESOLVED that the task force shall include representation from the Departments of Health and Human Services, the Judiciary, members from children and adult advocacy groups, members of parent and guardian advocacy groups, and members of other stakeholder groups; and

BE IT FURTHER RESOLVED that the task force is requested to submit findings and recommendations, including any proposed legislation, to the Legislature no later than twenty days prior to the convening of the Regular Session of 2013; and

BE IT FURTHER RESOLVED that certified copies of this Concurrent Resolution be transmitted to the Director of Human Services, Director of Health, the Chief Justice of the Supreme Court, and the Public Defender.

OFFERED BY: Sharonne Ohnum Oakland

*Carol DeBek*  
*Mike Hubbard*  
*Carol Johnson*

*John F. ...*  
*Michelle ...*

*Will ...*  
*Clarence ...*

