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# A BILL FOR AN ACT

RELATING TO CHILD SAFETY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. Section 350-2, Hawaii Revised Statutes, is  
2 amended to read as follows:

3           "§350-2 Action on reporting. (a) Upon receiving a report  
4 concerning child abuse or neglect, the department shall proceed  
5 pursuant to chapter 587A and the department's rules.

6           (b) The department shall inform the appropriate police  
7 department of all reports received by the department regarding a  
8 case of child abuse or neglect, including reports received under  
9 section 350-1.1; provided that the name of the person who  
10 reported the case of child abuse or neglect shall be released to  
11 the police department pursuant only to court order or the  
12 person's consent.

13           (c) The department shall inform the appropriate police  
14 department or office of the prosecuting attorney of the relevant  
15 information concerning a case of child abuse or neglect when the  
16 information is required by the police department or the office  
17 of the prosecuting attorney for the investigation or prosecution



1 of that case; provided that the name of the person who reported  
2 the case of child abuse or neglect shall be released to the  
3 police department or the office of the prosecuting attorney  
4 pursuant only to court order or the person's consent.

5 (d) The department shall maintain a central registry of  
6 reported child abuse or neglect cases and shall promptly expunge  
7 the reports in cases if:

8 (1) The report is determined not confirmed by the  
9 department, an administrative hearing officer, or a  
10 Hawaii state court on appeal; or

11 (2) The petition arising from the report has been  
12 dismissed by order of the family court after an  
13 adjudicatory hearing on the merits pursuant to chapter  
14 587A.

15 Records and information contained in a report that is  
16 expunged may be retained by the department solely for future  
17 risk and safety assessment purposes.

18 (e) The department may release the disposition of an  
19 assessment from an investigation into an allegation or report of  
20 child abuse or neglect that was confirmed by the department and  
21 that occurred within a group child care home or group child care



1 center licensed pursuant to section 346-163 perpetrated by an  
2 agent, employee, or independent contractor of that group child  
3 care home or group child care center to:

4 (1) Any parent or guardian of a child who was enrolled in  
5 the group child care home or group child care center  
6 at the time of the alleged abuse or neglect; or

7 (2) Any parent or guardian who has submitted an  
8 application or request to place a child in the group  
9 child care home or group child care center of the  
10 alleged abuse or neglect.

11 Information disclosed pursuant to this subsection shall not  
12 contain the names or other identifying information of any  
13 individual whose name or other information is otherwise  
14 protected from disclosure.

15 (f) The department shall adopt rules as may be necessary  
16 in carrying out this section."

17 SECTION 2. (a) There is established a working group to be  
18 placed in the department of human services for administrative  
19 purposes. The working group shall review laws, rules, and  
20 procedures relating to the coordination of investigations and  
21 enforcement efforts of the child welfare services branch and



1 child care licensing program to improve child care safety in  
2 child care settings.

3 (b) The following individuals shall serve as members of  
4 the working group:

5 (1) The director of human services or the director's  
6 designee;

7 (2) The administrator of the child welfare services branch  
8 or the administrator's designee;

9 (3) A representative from the child care licensing program  
10 designated by the administrator of the benefit,  
11 employment and support services division;

12 (4) Four representatives from the department of the  
13 attorney general, to be designated by the attorney  
14 general, specifically:

15 (A) One representative who specializes in criminal  
16 prosecution;

17 (B) One representative who specializes in child  
18 welfare;

19 (C) One representative who specializes in child care  
20 licensing administration; and



1 (D) One representative who specializes in criminal  
2 investigations;

3 (5) The prosecuting attorney of the city and county of  
4 Honolulu or the prosecuting attorney's designee;

5 (6) A representative from each of the county police  
6 departments in the State;

7 (7) Four community advocates designated by the director of  
8 human services; and

9 (8) A representative from the United States Department of  
10 Defense Family Advocacy program.

11 (c) Members of the working group shall serve without  
12 compensation and without reimbursement for expenses.

13 (d) The working group shall be exempt from chapter 91,  
14 Hawaii Revised Statutes.

15 (e) The working group shall submit a report of findings  
16 and recommendations, including any proposed legislation, to the  
17 legislature no later than twenty days prior to the convening of  
18 the regular sessions of 2019 and 2020.

19 (f) The working group shall cease to exist on January 30,  
20 2020.

21 SECTION 3. New statutory material is underscored.



1 SECTION 4. This Act shall take effect on July 1, 3000.

2



**Report Title:**

Child Abuse; Child Neglect; Reports; Group Child Care Home;  
Group Child Care Center; Working Group; Report

**Description:**

Authorizes disclosure of the disposition of an assessment from an investigation into an allegation or report of child abuse and neglect that was confirmed by DHS and occurred within a group child care home or a group child care center to parents or guardians of a child enrolled in the home or center at the time of the alleged abuse or neglect or to parents or guardians who have submitted an application or request to place their children in that home or center. Establishes a working group to review laws, rules, and procedures relating to the coordination of investigations and enforcement efforts of the child welfare services branch and child care licensing program. Requires the working group to report to the legislature prior to the regular sessions of 2019 and 2020. Effective 7/1/3000. (SD1)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

