
A BILL FOR AN ACT

RELATING TO CHILD CARE PROVIDERS.

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

1 SECTION 1. The legislature finds that Act 161, Session
2 Laws of Hawaii 2017, amends section 346-157, Hawaii Revised
3 Statutes, to require that child care providers must disclose to
4 parents and guardians who apply to have their child cared for at
5 those child care facilities, a summary of information that
6 includes the liability insurer's name and contact information,
7 coverage amounts, and effective dates for liability insurance
8 coverage. However, this disclosure of information may be
9 unnecessary as providers already provide proof of minimum
10 insurance coverage to the department of human services as part
11 of the licensing approval process.

12 The purpose of this Act is to:

13 (1) Repeal language that requires the department of human
14 services to determine the amount of liability
15 insurance coverage required to be obtained and
16 maintained by child care providers;



- 1 (2) Repeal language that requires child care providers to
- 2 disclose a summary of information relating to
- 3 liability insurance coverage to parents and guardians
- 4 applying for child care at a child care facility; and
- 5 (3) Amend Act 161, Session Laws of Hawaii 2017, by
- 6 extending the deadline for the department of human
- 7 services to submit a report to the legislature and
- 8 extending the implementation and enforcement deadline
- 9 of the liability insurance requirements, to allow the
- 10 department sufficient time to consider the issue of
- 11 liability insurance or coverage.

12 SECTION 2. Section 346-157, Hawaii Revised Statutes, is
 13 amended by amending subsections (b) and (c) to read as follows:

14 "(b) The department shall require all providers to obtain
 15 and maintain liability insurance coverage [~~in an amount~~
 16 ~~determined by the department~~] as a condition of licensure,
 17 temporary permission, or registration to operate a child care
 18 facility.

19 (c) The department, as a condition of continued licensure,
 20 temporary permission, or registration, shall require all
 21 providers to disclose in writing to each parent or guardian[+



1 ~~(1) Applying to have a child cared for at the provider's~~
2 ~~facility, summary information including the insurer's~~
3 ~~name and contact information, coverage amounts, and~~
4 ~~effective dates for the provider's liability insurance~~
5 ~~coverage at the time of application; or]~~
6 ~~(2) Within], within seven working days of any change,~~
7 ~~cancellation, or termination of liability insurance~~
8 ~~coverage, that the coverage has been changed,~~
9 ~~canceled, or terminated while the parent's or~~
10 ~~guardian's child is cared for at the provider's~~
11 ~~facility."~~

12 SECTION 3. Act 161, Session Laws of Hawaii 2017, is
13 amended as follows:

14 1. By amending section 3 to read:

15 "SECTION 3. The department of human services shall submit
16 a report to the legislature, no later than twenty days prior to
17 the convening of the regular session of ~~[2018,]~~ 2019, on the
18 following issues related to the liability insurance requirements
19 established by section 2 of this Act:

20 ~~[-(1) The amount of liability insurance coverage required to~~
21 ~~be obtained by child care providers,~~



1 ~~(2)~~ (1) The costs incurred by child care providers to
2 obtain liability insurance and the projected impact
3 these costs may have on the rates charged to
4 consumers; and

5 ~~(3)~~ (2) Outreach efforts conducted by the department, to
6 ensure compliance with the requirements of this Act."

7 2. By amending section 5 to read:

8 "SECTION 5. This Act shall take effect on July 1, 2017;
9 provided that implementation and enforcement of the liability
10 insurance requirements under section 2 of this Act shall take
11 effect on [~~January~~] July 1, 2019."

12 SECTION 4. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 5. This Act shall take effect on July 1, 2018.

15



Report Title:

Child Care Providers; Liability Insurance Coverage Disclosure

Description:

Repeals language that requires the department of human services to determine the amount of liability insurance coverage required to be obtained and maintained by child care providers. Repeals language that requires child care providers to disclose a summary of information that includes the insurer's name and contact information, coverage amounts, and effective dates for liability insurance coverage. Amends Act 161, Session Laws of Hawaii 2017, by extending the deadline for the department to submit a report to the legislature and amending the information to be included in the report and extending the implementation and enforcement deadline until 7/1/2019. (SD1)

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

