

Honolulu, Hawaii

APR 27 2018

RE: S.B. No. 2790
S.D. 2
H.D. 2
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Honorable Scott K. Saiki
Speaker, House of Representatives
Twenty-Ninth State Legislature
Regular Session of 2018
State of Hawaii

Sirs:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 2790, S.D. 2, H.D. 2, entitled:

"A BILL FOR AN ACT RELATING TO THE RIGHTS OF CHILDREN IN FOSTER CARE,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to amend chapter 587A, Hawaii Revised Statutes, by repealing the guiding principles for children in foster care and replacing the section with the rights of children in foster care.

Your Committee on Conference finds that in 2015, roughly two thousand youth were in foster care in the State. The new section proposed by this measure codifies best practices that have been developed with input from former and current foster care youth and aligns with Public Law 113-183, which requires the rights of a child aged fourteen and older regarding education, health, visitation, and



court participation to be documented in the child's case plan and requires a signed acknowledgment of the provision of these rights. Your Committee on Conference further finds that the new section proposed by this measure includes additional rights, such as culturally responsive services, requests for an attorney, and transportation to attend the school of origin. The rights of foster care children are a priority, and this measure provides these individuals additional protections and rights to lead successful lives.

Your Committee on Conference has amended this measure by:

- (1) Simplifying rights relating to living in a home; receiving food, shelter, and clothing; health insurance plan enrollment; and health assessment and treatment;
- (2) Clarifying that the rights of children in foster care established by this measure shall not give rise to a private cause of action for a violation of any right under the applicable law; and
- (3) Changing the effective date to upon approval.

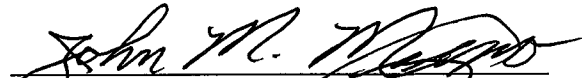
As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 2790, S.D. 2, H.D. 2, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 2790, S.D. 2, H.D. 2, C.D. 1.



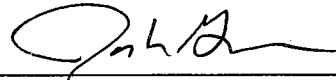
Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

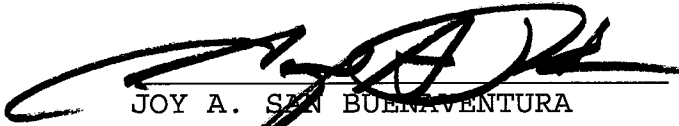
ON THE PART OF THE SENATE



JOHN M. MIZUNO
Co-Chair



JOSH GREEN
Chair




JOY A. SAN BUENAVENTURA
Co-Chair



BRIAN T. TANIGUCHI
Co-Chair



BERTRAND KOBAYASHI
Co-Chair



STANLEY CHANG
Co-Chair



**Record of Votes of a
Conference Committee**

Bill / Concurrent Resolution No.: SB 2790, SD 2, HD 2	Date/Time: 4/26/18 10:44 am
---	------------------------------------

The recommendation of the House and Senate managers is to pass with amendments (CD).

[Handwritten mark] The Committee is reconsidering its previous decision.

<input type="checkbox"/> The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure	<input type="checkbox"/> The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.
---	---

Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
GREEN, Josh, Chr.	✓				MIZUNO, John M., Co-Chr.	✓			
TANIGUCHI, Brian T., Co-Chr.	✓				SAN BUENAVENTURA, Joy A., Co-Chr.	✓			
CHANG, Stanley, Co-Chr.				✓	KOBAYASHI, Bertrand, Co-Chr.	✓			
THIELEN, Laura H.	✓				TUPOLA, Andria P.L.	✓			
TOTAL	3	0	0	1	TOTAL	4	0	0	1

A = Aye WR = Aye with Reservations N = Nay E = Excused

Senate Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted	House Recommendation is: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted
---	--

Senate Lead Chair's or Designee's Signature: 	House Lead Chair's or Designee's Signature:
--	---

Distribution: **Original** **Yellow** **Pink** **Goldenrod**
File with Conference Committee Report House Clerk's Office Senate Clerk's Office Drafting Agency