
A BILL FOR AN ACT

RELATING TO MINORS.

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

1 SECTION 1. Section 346-17.6, Hawaii Revised Statutes, is
2 amended as follows:

3 1. By amending subsection (b) to read:

4 "(b) A minor may consent to no cost emergency shelter and
5 related services if the minor understands the benefits,
6 responsibilities, risks, and limits of the shelter and services,
7 and the minor agrees to adhere to the provider's rules and
8 cooperate and participate in those services recommended by the
9 provider; provided that:

10 (1) The provider has not, despite reasonable efforts, been
11 able to contact the minor's parent, legal guardian, or
12 legal custodian;

13 (2) The provider has made contact with the minor's parent,
14 legal guardian, or legal custodian, and the minor's
15 parent, legal guardian, or legal custodian has refused
16 to give consent and, based on the information
17 available to the provider, the provider reasonably



1 believes that the minor would incur harm, or would be
2 subject to threatened harm, if the minor returned
3 immediately to the home of the parent, legal guardian,
4 or legal custodian; [~~or~~]

5 (3) The minor has refused to provide contact information
6 for the minor's parent, legal guardian, or legal
7 custodian, and the provider reasonably believes that
8 the minor would incur harm, or would be subject to
9 threatened harm, if the minor returned immediately to
10 the home of the parent, legal guardian, or legal
11 custodian[~~-~~]; or

12 (4) The provider is coordinating with the department's
13 child welfare services branch."

14 2. By amending subsection (h) to read:

15 "(h) For purposes of this section:

16 "Minor" means a person less than eighteen years of age.

17 "No cost emergency shelter and related services" means
18 accommodation at no cost for a continuous period of no more than
19 thirty days, unless extended for emergency purposes and in
20 compliance with subsection (b), including beds, meals,
21 individual showering facilities, transportation to and from the



1 place of shelter, and any of the following services as deemed
2 appropriate by the provider:

- 3 (1) Assistance with reunification with the family, legal
4 guardian, or legal custodian of the minor;
- 5 (2) Referral to safe housing;
- 6 (3) Individual, family, and group counseling;
- 7 (4) Assistance in obtaining clothing;
- 8 (5) Access to medical and dental care, and mental health
9 counseling;
- 10 (6) Education and employment services;
- 11 (7) Recreational activities;
- 12 (8) Case management, advocacy, and referral services;
- 13 (9) Independent living skills training; and
- 14 (10) Aftercare services, as those services are defined in
15 title 45 Code of Federal Regulations section 1351.1.

16 "Provider" means any child placing organization, or child
17 caring institution authorized by the department under section
18 346-17 to receive or place minor children for care and
19 maintenance and to provide related services, health care, or
20 supplies to these minors[-], or an organization that is not a
21 child placing organization or child caring institution that:



- 1 (1) Conducts criminal history clearances, child abuse and
2 neglect (CA/N) registry checks, background,
3 employment, and any other checks as may be required by
4 state or federal law on an annual basis for all
5 employees and volunteers;
- 6 (2) Maintains separate sleeping areas for unrelated adults
7 and minor children;
- 8 (3) Serves no more than five minor children per day;
- 9 (4) Keeps a current register of all minors admitted; and
- 10 (5) Coordinates with the department to provide shelter or
11 other services for a minor child."

12 SECTION 2. Statutory material to be repealed is bracketed
13 and stricken. New statutory material is underscored.

14 SECTION 3. This Act shall take effect upon its approval
15 and shall be repealed on June 30, 2023; provided that section
16 346-17.6, Hawaii Revised Statutes, shall be reenacted in the
17 form in which it read on the day before the effective date of
18 this Act.



Report Title:

Emergency Shelter; Minors; Consent; Providers; Child Welfare Services

Description:

Expands the circumstances where a minor may consent to no cost emergency shelter and related services to include cases where the provider is coordinating with child welfare services.
Sunsets 6/30/2023. (SD2)

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