

STAND. COM. REP. NO. 1097

Honolulu, Hawaii

MAR 24 2021

RE: H.B. No. 975  
H.D. 1  
S.D. 1

Honorable Ronald D. Kouchi  
President of the Senate  
Thirty-First State Legislature  
Regular Session of 2021  
State of Hawaii

Sir:

Your Committee on Human Services, to which was referred H.B. No. 975, H.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO REPORTS OF CHILD ABUSE,"

begs leave to report as follows:

The purpose and intent of this measure is to bring state law into compliance with the most recent amendments to the Child Abuse Prevention and Treatment Act, which seek to provide immunity from civil and criminal liability for individuals making good faith reports of suspected or known instances of child abuse or neglect.

Your Committee received testimony in support of this measure from the Department of Human Services and the Hawai'i Psychological Association. Your Committee received testimony in opposition to this measure from one individual.

Your Committee finds that in January 2019, the Victims of Child Abuse Act Reauthorization Act of 2018, P.L. 115-424, was enacted, further amending certain provisions of the Child Abuse Prevention and Treatment Act. Your Committee also finds that the 2019 amendment provides immunity from civil and criminal liability for individuals making good faith reports of suspected or known instances of child abuse or neglect, or who otherwise provide information or assistance, including medical evaluations or consultations, in connection with a report, investigation, or



legal intervention pursuant to a good faith report of child abuse or neglect. Your Committee further finds that due to the impact of the coronavirus disease 2019 pandemic on the Hawaii State Legislature's regular session of 2020, the Children's Bureau of the Administration for Children and Families of the United States Department of Health and Human Services, granted the department of human services an extension until June 30, 2021, to bring Hawaii's law into compliance with federal law.

Accordingly, your Committee has amended this measure by:

- (1) Inserting an effective date of June 30, 2021; and
- (2) Making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Human Services that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 975, H.D. 1, as amended herein, and recommends that it pass Second Reading in the form attached hereto as H.B. No. 975, H.D. 1, S.D. 1, and be referred to your Committee on Judiciary.

Respectfully submitted on  
behalf of the members of the  
Committee on Human Services,




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JOY A. SAN BUENAVENTURA, Chair



The Senate  
 Thirty-First Legislature  
 State of Hawai'i

**Record of Votes**  
**Committee on Human Services**  
**HMS**

Bill / Resolution No.:*	Committee Referral:	Date:		
HB975, HD1	HMS, JDC	3/16/2021		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is:				
<input type="checkbox"/> Pass, unamended 2312	<input checked="" type="checkbox"/> Pass, with amendments 2311	<input type="checkbox"/> Hold 2310	<input type="checkbox"/> Recommit 2313	
Members	Aye	Aye (WR)	Nay	Excused
SAN BUENAVENTURA, Joy A. (C)	✓			
IHARA, Jr., Les (VC)	✓			
ACASIO, Laura	✓			
MISALUCHA, Bennette E.	✓			
FEVELLA, Kurt	✓			
<b>TOTAL</b>	5	0	0	0
Recommendation:				0
<input checked="" type="checkbox"/> Adopted		<input type="checkbox"/> Not Adopted		
Chair's or Designee's Signature:				
				
<b>Distribution:</b>	Original File with Committee Report	Yellow Clerk's Office	Pink Drafting Agency	Goldenrod Committee File Copy

\*Only one measure per Record of Votes